

THE
BENGAL PRESIDENCY FOREST MANUAL.

PART II.

EXECUTIVE ORDERS AND RULES.

Compiled by order of the Government of Bengal.

BY
C. E. MURIEL,
Conservator of Forests.



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PREFACE.

Part II of the "Bengal Presidency Forest Manual" contains rules and executive orders issued by the Local Government and the Conservator of Forests for the conduct of forest business.

The orders and instructions contained in Chapter III are supplementary to the provisions of the Forest Department Code, 7th edition, and should be read with the articles referred to.

The powers delegated from time to time by the Local Government to the Conservator of Forests, Bengal, and to Divisional Forest Officers in Bengal, under the Forest Department Code, have been shown in two separate statements with corrected references to articles in the Forest Department Code, 7th edition, instead of references to articles in the 6th edition of the Code which is now obsolete.

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THE
BENGAL PRESIDENCY FOREST MANUAL

PART II.

Executive Orders and Rules.

CHAPTER I.

**Constitution, Management and Working of
Forests.**

25.—Forest Settlements.

(1) In forwarding the accompanying copy of a Memorandum by the Officiating Inspector-General of Forests on the procedure to be followed in Forests Settlements, I am directed to say that it is hoped that this Memorandum may serve as a useful guide, both to Forest Settlement Officers and to those whose duty it may be to watch their proceedings on behalf of Government. The observance of the principles laid down in the Memorandum should, in the opinion of His Excellency the Governor-General in Council, tend greatly to avert the occurrence of mistakes, sometimes serious in their consequences, that have occasionally arisen through Forest Settlement Officers, imperfectly acquainted with the duties of their office, going beyond their legitimate sphere of action, and framing settlements on principles that are at variance with existing law. In the Circular Resolution of the Home Department, No. 21 F. of the 31st August 1885, occasion was taken to remark how much

the work of Forest Settlements would gain in simplicity and value if the officers entrusted with their execution studied more carefully the provisions of the Forest Act on this important subject; and it is to facilitate still further the work of the Forest Settlement Officer, and to define more clearly the procedure indicated by law, that the present Memorandum has been framed.

(2) I am to call attention to clauses 1 to 5 of the Memorandum, and especially to clause 4, as expressing the views of the Government of India as to the powers and duties of the Governments in the reservation of land for forest purposes.

(3) With regard to Forest Settlements in general, I am to explain that they are not intended to obstruct Local Governments and Administrations in disposing of the produce of the State forests as they may deem expedient. The Forest Settlement defines rigidly, it is true, the legal title of the State to the property in question, and serves to protect that property from the accrual of other rights than those lawfully existing at the time of settlement. But when once this settlement has been effected, there is nothing to prevent Local Governments and Administrations from making such use of the forest resources as appears advisable to them, subject only to the responsibility which rests upon them of having a just regard to the fiscal interests of the State.

(4) Working-Plans are necessary for the proper management of the forests; but their object is simply to work the forests to which they apply in such a way that the forests may meet the demand upon them, to any extent required, without waste and without impairing the source of supply. Up to that limit, it is for the Local Government to regulate the supply of forest produce to meet local wants.

(5) A Working-Plan cannot, therefore, be effectually prepared without a full and accurate knowledge of local requirements, and it has been suggested that the Forest Settlement Officer is well qualified, by the information acquired in the course of his duties under the Act, to indicate the nature and extent of the legitimate requirements of the people in regard to the forests under settlement by him. I am to state that His Excellency in Council does not object to Forest Settlement Officers being made use of *extra-judicially* to make enquiries of this kind and to supply information; but that it is their judicial function chiefly which is regulated by the Forest Act. In this respect, their duty is analogous to that of a Civil Court, which awards to either party in a suit the portion of the property under litigation which appears justly due. After judgment, the Government cannot encroach upon the share of the property awarded to other claimants, but may deal, as it thinks proper, with the portion awarded to the State.

Memorandum.

1. The object of a Forest Settlement is, in the first instance, to fix and define the legal status and extent of the proprietary rights of

the State in any forest or waste land constituted or declared to be forest within the meaning of the Forest Act, which is the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest produce of which the State is entitled; and consequently to enquire and record to what extent the proprietary rights of the State are limited by legally existing adverse rights of private persons or communities; secondly, to arrange for the exercise or commutation of adverse rights so recorded, in order to allow of the property being managed with the view of obtaining the best possible return, both now and in the future, for the general public.

2. The settlement of a forest, which has resulted in its constitution as a Reserve, merely determines the rights of the Government and private persons over the forest, and in no way aims at prescribing the agency by which, or the manner in which, the forest is to be administered. The way in which a forest may be managed, or the requirements which it is intended to meet, are in every instance dictated by local circumstances. Thus, a Reserved Forest has not necessarily the object, as is frequently believed, of producing large timber for export or public works, but more often, that of supplying the local demands in smaller timber, fuel, grass, or any other forest produce. A forest may be said to fulfil its highest function when it produces, in a permanent fashion, the greatest possible quantity of that material which is most useful to the general public, and at the same time yields the best possible return to the proprietor.

3. The settlement of forest lands under Chapter II of the Forest Act is a step which fixes for ever the respective rights of the Government and private persons over the lands; while the management of the forest is a matter that can be regulated by executive orders at any time, and in deference to altered requirements and varying demands.

4. Under section 3 of the Forest Act, it rests with Local Governments to decide what forests and waste lands, being the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest produce of which the State is entitled, should be constituted a Reserved Forest. There may be forests and wastes so situated as to make it impolitic to proceed with their settlement; others, again, may be burdened to such an extent by adverse rights of users that the benefits accruing to the State would not compensate for the expensive settlement prescribed by the Forest Act.

But, as a rule, it may be laid down that it is the duty of Government to secure the best possible legal title (as prescribed by the Forest Act) to the property, or to such share as it owns, in all forests and waste lands defined in section 3 of the Act. Having this in view, District Officers should be instructed to initiate proposals for the settlement of all forest and waste lands, against the reservation of which, in the opinion of the Local Government, no forcible reasons exist.

These proposals by the District Officers must, naturally, be of a general character only. They will simply specify the limits of the land in question in such a way as to fix its situation and to be readily intelligible to interested parties; they should not enter into any discussions likely to affect the future settlement, and render ineffective the provisions of section 5 of the Act.

5. Whenever a Local Government is satisfied that no special reasons exist why land, fulfilling the description in section 3 of the Act, should not be constituted a Reserve, the notification prescribed in section 4 should issue, and a Forest Settlement Officer be appointed.

6. The procedure of a Forest Settlement Officer may be considered under three separate heads, viz. :—

- (1) the procedure previous to the adjudication of claims ;
- (2) the adjudication as a Civil Court ;
- (3) the action taken after the adjudication of claims.

7. Under (1), the Forest Settlement Officer is required to—

- (a) specify the limits of the proposed forest ;*
- (b) explain the consequences which will ensue on the reservation of the forest ;
- (c) fix a period during which claims may be preferred either in writing or in person.

8. Under (6) (2), the Forest Settlement Officer, acting as a Civil Court, is required to record the substance of all statements regarding claims to rights invited under section 6. He is further required to make a similar record of any rights of which the existence is ascertained, whether from previous records or by local enquiry.

Claims can be divided into three classes—

- (1) claims to a right in, or over, land ;
- (2) claims to forest produce, including pasture ;
- (3) claims to right-of-way or watercourse.

With respect to class (3), the Forest Settlement Officer has only to satisfy himself of the existence of the ways or watercourses in question and to record them as such. Any action in regard to them is ruled by section 24 of the Act.

Referring to classes (1) and (2), the Forest Settlement Officer's first duty is to adjudicate on the evidence and facts before him, to decide whether the rights claimed are legally established or not and to pass an order admitting or rejecting them accordingly in whole or in part. It is clearly the intention of the Act to settle these claims on their legal merits, and not with reference to any special objects which were had in view when it was proposed to

* A forest tract proposed to be reserved frequently includes village lands, or lands the ownership of which is at least questionable, and it has been considered inconsistent with section 5 of the Act to permit new clearings in such lands. This circumstance may result in hardships or militate against reservation. The difficulty can be overcome by excluding these lands, by special mention, from the revisions of the preliminary notifications.

constitute the forest a Reserve. Claims must be admitted or rejected within the limits to which the right has been substantiated. Local Governments should, as a rule, appoint some person, under section 18 (who may most suitably be the local Forest Officer), to attend at the enquiry, plead, and act on behalf of the State before the Forest Settlement Officer. This person will have a proper legal standing, be able to cross-examine witnesses who support claims, produce evidence to rebut claims, comment on any documents or evidence; and if he desires to prefer an appeal against any decision, the Forest Settlement Officer should give him a certified copy of such decision. It is of vital importance that only such rights should be admitted as are legally proved to exist, and then only to the extent proved.

There is nothing in the Forest Act that justifies that Forest Settlement Officer in providing for the prospective wants of non-existing settlers, or for a future and possibly more numerous generation; nothing that permits the concession, by a Forest Settlement Officer, of more extensive rights than those which he finds to exist at the time of settlement. The rights claimed must be actually existing rights, vested in an individual or person, or in a definite body of persons, such as, for instance, a number of co-owners, or a village community. They may be rights in gross, unconnected with the ownership of immoveable property (houses or land), or they may be rights attached to the ownership of such property. They may be rights enduring only for a certain period, or for the life of the person in whom they are vested, or they may be rights which will pass to the heirs of that person, or pass in perpetuity with the property to which they are attached. But they must be existing and vested in some person, or body of persons, who can claim them at the time of settlement.

If the Forest Settlement Officer is permitted to provide for the indefinite prospective wants of an indefinite prospective number of right-holders, he may be providing for the gradual absorption and final extinction of the actually existing rights of the State.

It is conceivable that a claimant might establish a right of such a nature that it would possibly, in course of time, entitle him to larger benefits from a forest than he was entitled to at the time of settlement. For instance, he might show that he was entitled to pasture for *all* cattle employed by him in the cultivation of this land, and he might be in possession of extensive waste land, which he was gradually bringing under cultivation—a process which, of necessity, would tend to increase the number of his cattle. Here the Forest Settlement Officer, though dealing only with “actually existing rights,” would also have to take into account “prospective wants.”

In such a case, which could probably only arise when the right in question had been specially conferred by the terms of a former grant, revenue settlement, or *sanad*, it would seem reasonable to admit the same within a maximum, which should be determined with reference to the rights actually enjoyed by the claimant at the

time of making the record, and with due regard to the potential capabilities of the forest.

A prescriptive right, to exist at all, must be proved to have been regularly exercised in the past; and in no case can a prescriptive right over any forest be held to have been acquired by the continuous purchase of its produce from the owner, the element of adverse enjoyment and of enjoyment as of right on which prescription rests being wholly wanting.

In regard to rights of class (1) admitted in whole or in part, three courses are open to the Forest Settlement Officer, and these are clearly stated in section 10 of the Act.

With regard to rights of class (2) similarly dealt with under section 11, the Forest Settlement Officer is to record, in the manner prescribed in section 12, his decision in all cases, whether in favour of the claimant or otherwise; and it would probably be found convenient, if the Settlement Officer briefly entered an epitome of the grounds for his decision, the evidence and finding being, as a matter of course, duly recorded at length in the judicial proceedings. Providing for this and other details of procedure within the provisions of the Act, as explained in this Memorandum, the Local Governments may also make rules, under section 75 (d) of the Act, similar to those issued by the Government of Madras under section 63 (b) of Act V of 1882.

Section 13 of the Act provides for a complete record of the extent of such rights as have been admitted, and of the limits within which claims have been established. The preparation of this record brings to a close the duties of the Forest Settlement Officer when proceeding as a Civil Court.

2. The Forest Settlement Officer should now proceed, with due regard for the maintenance of the forest, to arrange for the continued exercise of the rights to the extent admitted.

Under section 14, he is at liberty to adopt one of three courses—

- (a) Transfer the burden of the right to some other conveniently situated and available forest.
- (b) Alter the proposed boundaries, so as to exclude an area of forest sufficient for the exercise of the rights admitted, and convenient for the purpose.
- (c) Record an order continuing the exercise of the right to the extent admitted, at such seasons, in such portions of the forest, under such rules as may, from time to time, be prescribed by the Local Government.

It is evident that this section is only intended to regulate the legally admitted rights, and gives no power to alter or extend such rights.

If the Settlement Officer acts under (a) or (b), the section explains clearly enough what course he should follow.

Under (c), the Forest Settlement Officer must record an order declaring that the claimants of the admitted rights may continue to exercise the rights to the extent admitted, (a) at such seasons. (b)

within such portions of the proposed forest, and (c) subject to such rules as may, from time to time, be prescribed by the Local Government.

The rules that are here referred to must not substantially detract from the rights of either the claimant or the State. Such rules are not intended to define the legal status of rights claimed, but only to control the exercise of rights admitted: for the power to make such rules is limited, and does not extend to fixing the number of cattle which a right-holder may send into the forest, or the amount of produce he may extract. An order admitting a claim to rights of pasture or forest produce cannot, therefore, be limited or extended by any declaration in rules framed under section 14 (c) of the Forest Act.

The rules might be such as to require, *e.g.*, cattle to be marked, to wear bells, or produce to be removed by certain roads.

In cases where the right admitted and recorded is of such a nature that it would, in course of time, entitle the right-holder to larger benefits from the forest than he enjoyed at the time of settlement, a maximum should be fixed in such a way as to render substantial justice to the claimants and to the State, having due regard for the well-being of the forest.

E. g., for a few years immediately preceding settlement, the cattle of a village may have been considerably reduced by disease or other causes. It is, in this case, obviously desirable to fix a maximum number of cattle in excess of what exist. Similarly, a village, owing to dacoities, has been reduced by the emigration of some of its inhabitants, who, in more settled times, may be expected to return. In such a case it may be necessary to fix the bamboos, etc., at a quantity in excess of actual present requirements.

Section 15 provides that if a Reserved Forest cannot be maintained as a forest side by side with the continued exercise of such rights as have been admitted over it, the Forest Settlement Officer may commute such rights as render a proper treatment of the forest impossible, either by cash payment or by the grant of land, or in such other way as he thinks fit. The Local Government may make rules in reference to this question, which may prescribe the basis upon which money compensation may be assessed, or land be given in exchange (Madras Government Notification, G. O. No. 970, dated 27th August 1884, paragraphs 12 and 13).

10. It is, without doubt, desirable that a professional Forest Officer should be associated with the Forest Settlement Officer to assist and advise as to the action the latter may wish to take under sections 14 and 15. The question whether a forest can be maintained or not under exercise of certain rights, and whether section 14 or section 15 is applicable to the case in point, is one demanding practical experience and professional knowledge; and the advice of the Forest Officer, besides being useful as a means of pointing out what it is practicable to effect with due regard to the maintenance of the forest, should also prove of material assistance in arranging for a settlement of all claims on a simple and stable basis.

The Forest Officer may be usefully consulted in the final selection of boundaries.

11. This brings the work of the Forest Settlement Officer under the Act to a conclusion, and, subject to any orders passed on appeal, secures, once for all, the sound legal status of the Reserved Forest in question.

12. The management of the forest, with the legal obligations imposed at the time of settlement as a first charge upon it, should now be left to the provisions of a Working-Plan, drawn up by a professional Forest Officer, after full examination of the capabilities of the forest and the demands, local or other, which it can supply, and with careful regard to the orders and rules of the Local Government under section 14, clause (c).

13. Appellate Courts can only decide on the same lines as those upon which the Forest Settlement Officer had originally passed judgment, and the Local Government, when revising such procedure under section 17, should be guided by the same principles.

14. At this stage, it becomes the duty of the Local Government to publish the final notification declaring the forest to be reserved. Such notification must specify definitely the limits of the forest *according to boundary marks*. As this is intended as a safeguard against encroachments, the boundary statement should be sufficiently accurate to meet this purpose. A mere enumeration of adjacent lands does not fulfil the requirements of the Act.

It will probably be found advisable that the notification should also contain a complete record of the rights subject to the exercise of which it is to be constituted a Reserve.

Statements of Rights.

Matipur (proposed) Reserve.

Name of village or right-holder with father's name.	Number of houses.	Population.	Area of cultivation.	Area of village waste.	NUMBER OF—					Nature and extent of claim made.	Extent to which claim admitted.	How provided for or disposed of by Forest Settlement Officer.	Orders of Appellate Court.	Orders of revision by Local Government under section 17.	REMARKS
					Camels.	Cattle.	Buffaloes.	Cattle.	Sheep.						

15. Under section 21, the Local Government may, within five years, revise any arrangement, rescind or modify any order; under sections 14 and 17, including any orders of revision passed by them under the latter section, provided such arrangements or orders are replaced by some other of the proceedings possible under section 14 or 15. No new rights can be admitted under this section.

16. Under section 22, no right of any description can be acquired in or over a Reserved Forest, except by succession or

under a grant or contract in writing made by or on behalf of the Government, or of some person in whom such right was vested when the notification under section 19 was issued.

NOTE.—The Government of Bengal has, in Revenue Department (Forests) Circular No. 19 of 31st August 1911, published the procedure to be followed in Forest Settlements in Bengal. The approved procedure provides a Form of Proclamation for publication under section 6 of the Indian Forest Act, Forms for the record of Privileges and Rights claimed and the manner in which these claims are disposed of and a Form of Draft Notification for publication under section 19 of the Indian Forest Act.

26.—Amended description of Forest Boundaries.

- * Cases arise in which it may be desirable to publish, by means of a fresh notification, amended descriptions of the boundaries of Forest Reserves already notified under section 19 of the Indian Forest Act or under other forest enactments.

Government of India Circular
No. 10F., dated 20th June 1898.

It has been ascertained that there is no legal objection to this course, if the fresh notification merely provides for the substitution of a more exact and definite description of the boundaries for that which was originally notified, and which, though purporting to describe the boundaries as they existed at the time, has subsequently become incorrect or proved to be open to misconstruction. The appended form of notification is considered suitable for such cases, and may be employed whenever necessary. This procedure must not be held to extend to any such alteration of the boundaries, on the ground as would involve either the inclusion of new areas or the exclusion of any lands which have been declared by the previous notification to be Reserved Forest. Such changes require either a new settlement of the additions it is proposed to make, or, in the case of disforestation, the previous sanction of the Government of India.

Notification.

WITH reference to Notification No. , dated published under section of the [Indian Forest Act (VII of 1878)] at page of the Government Gazette of the , declaring the forest to be a Reserved Forest, is pleased to direct that the following amended and more accurate description of the boundaries of the said forest be substituted for the description contained in the said notification.

27.—Disforestation of Reserved Forests.

The Governor-General in Council is pleased to direct that a draft notification in the form appended to this Resolution shall, subject to such minor modifications as local circumstances may render expedient or necessary, accompany every application for sanction to disforest.

Government of India No. 6F., dated
10th March 1892

The Governor-General in Council is further pleased to direct that in all such applications it should be stated whether or not the local Revenue and Forest Authorities agree to the disforestation proposed; and that, in the event of any objection to such disforestation being urged, its nature should be recorded for the information of the Government of India.

The advisability of submitting with the application a map illustrating the proposals made should be considered in each case by the Local Government or Administration concerned.

Draft Notification.

His Excellency the Governor in Council,* (*with the previous sanction of the Governor-General in Council*), is hereby pleased to declare, under the provisions of section 26 of the Indian Forest Act that the area specified below, which, in Notification No. , dated the , was declared to be Reserved Forest under section of that , shall cease to be Reserved Forest with effect from the :—

Specification of land disforested.

Name of Reserve or portion of Reserve disforested	District.	Pargana.	Mauza.	Area in acres.

Boundaries.

Brief description

Reasons for disforestation.

* NOTE.—Previous reference to the Government of India is not required if the area involved does not exceed one square mile in each case (Government of India Circular No. 24F.—3384 of 21st November 1911)

28.—Forest villages.

(1) The object of establishing forest villages is to obtain a sufficient and continuous supply of labour for fire-protection and other works of improvement, and with this end in view cultivators should as much as possible be encouraged to form forest villages and cultivate service lands in Reserved Forests in return for labour given.

Accordingly the following points should be observed in the execution and record of Agreement Form No. 28, which has been prescribed for the purpose:—

1. A separate series should be allotted to each forest village, and a separate serial number given to the agreements executed by each villager in any one village for record in the register referred to below.

Conservator's Circular No. 25, dated the 25th April 1905.
NOTE.—Clause IV of the agreement should be cancelled except in those forms executed by village headmen.

2. A register should be maintained in each division for entry of the following, for which separate pages should be allotted:—

- (a) Description of each village.
- (b) Demarcation of its boundaries.
- (c) Tracing of the area assigned.
- (d) The number of cultivators admitted.
- (e) The special objects for which the establishment of village was intended to serve.

3. A permit should be issued to each cultivator who enters into such an agreement on which the following details should be recorded:—

- (a) Name of cultivator and serial number,
- (b) Name of village, and
- (c) Area of land assigned for cultivation.

4. No new village should be started without the prior permission of the Conservator being obtained through the District Officer.

5. Progress in establishing such villages and results, if any, should be commented upon by each Divisional Officer, in Chapter V of his Annual Report.

- (2) The following procedure has been laid down for the grant of

Takavi Advances.
Board of Revenue's letter No 8801 of 28th November 1910. takavi advances to forest villages in need of financial assistance:—

“1. Divisional Officers will ascertain and report by the first week of August in each year for the approval of the Conservator the probable requirements of each of the villages in his Division. The amount passed will be communicated to him in sufficient time to enable him to report to the District Officer by the first week of September the amount required (or that no provision is required) for distribution in his Division. The District Officer will thereupon include the amount with the rate of his requirements in the annual estimate for his district.

2. The District Officer will in due course inform the Divisional Officer of the amount placed at his disposal in the district account against which he may draw advances.

3. These advances should be drawn from the treasury on abstract bills, and after distribution the Divisional Officer will furnish the District Officer with a detailed bill and remit the unpaid balance, if any.

No entries will be made in the Divisional Forest Accounts.

4. The Divisional Officer will make periodical recoveries from his copy of the detailed bill or from an extract from the District Officer's Takavi Register which will be furnished to him, and shall remit the amounts recovered with proper chalangas to the District Officer, who will credit the amount into the treasury after necessary entries in his register."

29.—Drift Timber.

(1) The procedure laid down in the following rules for the collection and disposal of drift timber under the Indian Forest Act should be uniformly observed :—

Government of India Circular No 25
For., dated 10th November 1891

"(a) As regards *unmarked* waif-timber, which as a rule is presumably ownerless and unclaimable—to sell it where it lies stranded, in all cases where it is not sufficiently valuable to be collected and conveyed to a drift-depôt, although it may be of some value for local use; and

"(b) in the case of drift timber *having marks*, and which is, therefore, presumably private property and claimable as such, but is not worth bringing to a depôt—to instruct the Forest officials not to collect it."

(2)—Instructions drawn up by Legal Remembrancer for the guidance of Forest Officers in dealing with drift and stranded timber.

1. As regards drift or stranded timber of which Government is the undisputed owner, *e.g.*, where the trees are uprooted from a forest of which Government is the proprietor, possession may be taken without reference to the provisions of the Indian Forest Act (Privy Council Judgment,* page 517, last two lines to page 518). But where it cannot be clearly ascertained that the timber comes from Government land and in all cases of doubt or possible dispute, the procedure laid down in Chapter IX of the Act (sections 45 to 51) should be followed, if the Forest Officers wish to take possession of the timber at all.

Bengal Government letter No 1216,
dated 31st December 1900.

2. The kinds of timber which Forest Officers may collect are those described in section 45.

3. The first step to be taken is to establish depôts at convenient places, for the reception of drift timber (section 45).

4. The next step is to notify such depôts and changes in them from time to time (section 45). A copy of each notification, with

* *Amritnari Deb v. Secretary of State*, I. L. R., XXIV, Cal., p. 504.

the proof of its publication, should be recorded in the office for future use in the event of litigation.

5. All drift and stranded timber should be collected and removed to some notified depôts (section 45).

"The so-called presumptive ownership of the Government does not exist, save in those cases where the Government collects" and performs its statutory duty as prescribed in the Act (Privy Council Judgment, page 519, and of first paragraph).

6. The next step enjoined by the Act (section 46) is the publication of notices of all timber collected, in the manner described in section 46. Printed forms of notice should, I think, be used, and proof of its publication, with names of witnesses preserved in the office.

7. Should any claims be preferred within the stated period of not less than two months (section 46), the enquiry prescribed in section 47 should be held. The section is clear and precise and need not be reproduced here.

8. All unclaimed timber and all timber in respect of which any claims preferred have been rejected by the Forest Officer after due enquiry vests in Government, but not until the expiration of the period of notice, and of further three months allowed by section 47 to an unsuccessful claimant for instituting a suit. In the event of a suit, the timber must abide the result (section 48).

9. A claimant whose claim is allowed is bound to pay all costs before the timber is delivered to him (section 50).

10. The rules, if any, framed by the Local Government under section 51 should be followed.

If the above procedure is not followed, that is to say, if drift and stranded timber is not collected and removed to notified depôts, and if notices are not duly published and claims invited, heard and adjudged, the Government cannot legally appropriate the timber to itself, unless it happens to be entitled to it by proprietary right like any private owner.

There is nothing in the law to prevent depôts being multiplied and established at all convenient places.

Forest Officers should clearly understand that the main object of Chapter IX of the Act is to prevent disputes and to protect the true owner "against depredations by persons having no title" (Privy Council Judgment, page 513, last paragraph). The object is the regulation of rights (page 515). It is only unclaimable or unclaimed timber that vests in Government, though the onus of proof in all cases lies on the claimant (sections 45 and 68).

30.—Execution of Contracts.

1. The orders of Government restricting the execution of contracts to certain officers of the Forest Department and prescribing the limits within which such officers may act are given in Article 22, Part I, of this Manual.

2. Contracts for work should be in accordance with Article 448A-38 of the Civil Account Code.

3. Contracts under Timber sales will ordinarily be executed in the Agreement Form prescribed (Bengal Adopted Forest Form No. 27): these agreements will be filled up by Divisional Forest Officers and such of them as are not in the power of the Divisional Forest Officers will be transmitted to the Conservator after execution by the other contracting party.

31.—Disposal of Forest Produce.

Forest produce of all kinds in Bengal will be disposed of in the following manner:—

(a) *By auction or by sealed tender* at rates fixed by competition under conditions contained in sale notices approved of by the Conservator.

NOTE — "All sealed tenders will be treated confidentially until the lots tendered for are sold and then only the successful tender will cease to become confidential"
(Conservator's Circular No 156 -697 of 10th September 1912.)

(b) *By permits* at rates fixed by schedule.

(c) *By private sale* in exceptional cases subject to approval of the Conservator.

(d) *By special grants* free or at favourable rates under competent authority.

32.—Prosecution of Criminal Suits in which Government is a party.

The following rules have been framed for the guidance of officers of Government and of Government Pleaders in regard to the prosecution of criminal charges before any Court, and for the payment of fees to Government Pleaders for conducting such cases on behalf of Government.

Bengal Government letter No. 1863,
dated the 19th January 1916.

Rules for the Prosecution of Criminal Cases.

1. At the head-quarters of each district there is a Government Pleader appointed by Government who represents the Government in all cases civil, revenue and criminal in which Government is a party. The Government Pleader is *ex-officio* the Public Prosecutor of the district.

2. In some districts, however (*see Appendix A*), there is an additional pleader appointed by Government as Public Prosecutor, and he generally is in charge of all criminal work, while the Government Pleader conducts all civil and revenue cases.

3. There is no Public Prosecutor appointed by Government in any subdivision except at Brahmanbaria in Tippera, Madaripur in Faridpur, and Sirajganj in Pabna districts. These Public Prosecutors have a monthly retainer of Rs. 30 each: their daily rate of fee is Rs. 12.

4. The Public Prosecutor is bound to advise the head of any Government office on any legal matters affecting the interests of Government in connection with the department which such officer represents without the payment of a fee, such service being covered by his general retainer.

Duties of Public Prosecutors for which no fees are payable.

5. The Public Prosecutor is bound to advise a Government officer consulting him on behalf of a Municipality, District or Local Board Committee, Port Trust or of any public body, over whose proceedings such Government officer is legally vested with powers of supervision or control, on payment of a reasonable fee for his opinion. The amount of such fee shall be noted on the reference, and, if offered to and refused by the Public Prosecutor, shall be fixed by the Legal Remembrancer on reference to him by the officer who makes the tender.

Cases in which fees are payable.

6. In addition to the duties imposed under the Criminal Procedure Code, the Public Prosecutor is bound to appear in all appeals and revision cases in the Court of Session in which the Magistrate of the district thinks that an appearance on behalf of the Crown is necessary and directs him to appear. In appeals in Magistrate's courts, the Public Prosecutor shall also appear on behalf of the Crown if the Magistrate of the district so desires. No reference to Legal Remembrancer is necessary in these cases. Unless otherwise directed by the Magistrate, the Government Pleader or the Public Prosecutor, as the case may be, should appear in all appeals before the Sessions Judge in which the appellant is represented by a legal practitioner.

Duties of Public Prosecutors

7. The Magistrate, as the head executive authority in the district, is the representative of Government and has the first call on the Public Prosecutor's professional services both in the Original and Appellate Court. The Public Prosecutor cannot therefore accept a brief for the defence, or for an appellant or for an applicant for revision in a criminal case, except with the Magistrate's permission in writing previously obtained.

Magistrate has the first call on the Public Prosecutor's professional services.

8. Whenever in any important or serious case or any case in which important questions of law or evidence may arise in the head-quarters of the district, the Magistrate of the district thinks that the employment of the Public Prosecutor, or, in his absence, of any other pleader is necessary for conducting the prosecution, he will, if there is sufficient time for reference, apply to the Legal Remembrancer for sanction to the employment of the pleader, or

will engage him in anticipation of sanction and report his action for the sanction of the Legal Remembrancer.

9. Whenever the Magistrate of the district thinks that in any case in the court of the Subdivisional Magistrate the prosecution should be conducted by a pleader, he may employ, in consultation with the Subdivisional Officer, one of the members of the local bar of sufficient experience and ability to represent the Crown subject to the sanction of the Legal Remembrancer.

10. The Public Prosecutor of the district shall on no occasion be deputed to the mufas-al without the previous sanction of the Legal Remembrancer, to whom all the facts of the case should be reported to enable him to pass orders on the subject. He may, if he considers it necessary, refer any case for the orders of Government.

11. Whenever the Public Prosecutor of the district is not available for the purpose of conducting prosecution in Sessions or Magistrate's Court, the Magistrate of the district may engage any pleader of sufficient standing at the bar to take up the duties of the Public Prosecutor subject to the sanction of the Legal Remembrancer, who will settle his fees at the recommendation of the district authorities.

12. The Magistrate of the district is responsible to Government that Government prosecutions do not fail, because Government is not adequately represented. It is therefore incumbent upon him to make the best arrangement so that Government prosecutions are able and satisfactorily conducted. The sanction of the Legal Remembrancer is necessary only to check the tendency of the district authorities to engage pleaders in unimportant cases.

Fees.

13. When a Public Prosecutor conducts a case in court he is, subject to any special orders of the Superintendent and Remembrancer of Legal Affairs, entitled to a fee of Rs. 25 or 32 a day according to the scale mentioned in Appendix A. When the hearing of any case occupies half or less than half a day, or when any case is adjourned the Public Prosecutor is entitled to a minimum fee of Rs. 16 only.

14. Whenever the prosecution of any case may have involved exceptional labour and ability or when the contest of the case may have been exceptionally severe; or when the sitting of the Court may have been prolonged considerably beyond the usual hours, the Public Prosecutor may be allowed such special fee varying from Rs. 32 to Rs. 50 per diem as the presiding officer may think reasonable and may specifically recommend stating the reasons, and the Legal Remembrancer may sanction.

15. When a criminal appeal is heard after a sessions case, the Public Prosecutor is entitled to only one full day's fee. When, however, a large number of appeals are heard on the same day the Public Prosecutor is also entitled to a full day's fee, unless the

Sessions Judge, in consideration of the labour involved and complexity of the case, recommends a special fee subject to the maximum fee of Rs. 50 a day. The Legal Remembrancer will pass such charges as may seem to him proper and reasonable.

16. The Public Prosecutor of Alipore is allowed as a special case a fee of Rs. 50 a day. This fee is liable to be enhanced to Rs. 100 a day on account of the special nature of any case which must be reported to the Legal Remembrancer and his sanction previously obtained. When he conducts more cases than one on the same day he is allowed full fee for the first case and half fee for each additional case heard on the same day. In cases of special importance and complexity he is also allowed a special fee subject to the order of the Legal Remembrancer previously obtained as also a consultation fee when engaged with Counsel.

The Public Prosecutor of Howrah is also allowed a special privilege of charging half fee for each additional case heard on same day subject to the maximum fee of Rs. 64 a day.

17. Whenever a pleader other than the Public Prosecutor of the district is employed in conducting a case on behalf of the Crown he is paid at the usual rate of Rs. 16 a day. When a case is simply adjourned or no material progress is made therein or when appearance in court is for less than half a day a half fee is allowed for the day. The payment of any increased or special fee depends on the specific recommendation of the presiding officer.

18. Whenever a Public Prosecutor is deputed to the mufassal within the district for conducting cases on behalf of the Crown he is allowed a fee of Rs. 50 a day in addition to travelling allowances admissible under the Civil Service Regulations to a second class officer. For work outside the district or for attending the High Court for instructing the Crown Counsel a special rate of fee is allowed by the Legal Remembrancer in consideration of the circumstances of each case.

19. At the end of each month the Public Prosecutor will draw up three separate bills for fees, for Sessions cases, Criminal Appeals and cases in Magistrates' Court in the form shown in Appendix B. All the details therein mentioned require to be given, so that the work rendered may be gathered from the bill itself. The result of the cases must always be mentioned. In cases of appeals and revision cases the column which cannot be filled up with necessary alterations, may be left blank. The submission of work registers is no longer required.

20. When the hearing of any case or appeal has not been finished in any month, the charges for appearances in that case shall ordinarily not be made in the bill for that month, but the charges for all the appearances in that case shall be made in the bill for the month in which the hearing is concluded.

21. After the bills have been drawn up in the form hereinbefore mentioned, they should be submitted in the first instance to the Sessions Judge, or to the Magistrate, as the case may be, before whom the pleader appeared in the cases for the conducting of which he demands the fees, and that officer shall certify thereon the dates of appearance of the Public Prosecutor in his Court in the cases to which the bill relates. In certifying to the dates of appearance he may also record any observations which he may wish to make in any special case regarding the rate of fee demanded, and may recommend either a reduction of the rate on any ground to be stated therein, or a special rate on any of the grounds specified above.

22. After a certificate has been obtained, as mentioned in rule 21, the bill shall be submitted to the District Magistrate, or the Deputy Commissioner, as the case may be, or, in his absence from head-quarters, to the officer in charge of the head-quarter's office. This officer shall then satisfy himself as to the correctness of the several entries made in the bill, countersign the same and forward it to the Legal Remembrancer with any recommendations which he may consider desirable to make regarding the rate or amount of fee charged.

23. No payment will be made on any such bill, unless and until it has been passed by the Legal Remembrancer or by the Deputy Legal Remembrancer.

24. No claim for increased fee will be admitted, unless it is supported by the officer before whom the case was conducted.

25. Ordinarily there is no necessity for the Public Prosecutor to attend court simply for the purpose of hearing a judgment delivered. When a Public Prosecutor is specially directed to attend for that purpose for any particular reason, he is entitled to a fee at not less than the minimum rate.

26. All bills should be submitted once every month not later than ten days from the end of the month to which they relate. Where there is any delay in the submission of a bill for any month, the Government Pleader shall submit with the bill an explanation of the cause of delay, and such explanation, with the remarks of the District Magistrate thereon, shall be forwarded with the bill to the Legal Remembrancer for consideration and orders.

Procedure in appeals and applications for revision.

27. When an appeal is filed or application for revision made to the High Court against the conviction and sentence or any order passed by the lower court, a copy of the notice sent to

the District Magistrate, when such cases are admitted, is invariably sent to the office of the Legal Remembrancer. On receipt of such notice appearance is entered on behalf of the Crown in those appeals in which the appellant is represented by a counsel or vakil without any reference to the Magistrate of the district. In cases, however, in which the appellant is not represented in the High Court by counsel or pleader, the Crown does not appear unless there is some special matter to bring to the notice of the court. It is important that this should be clearly understood, in order that particular care may be taken to specify the reasons why the Magistrate wishes the Crown to appear in such a case.

28. In cases of revision, appearance is entered only in such cases in which instructions are received from the District Magistrate asking for the representation of the Crown.

29. In a Capital Sentence case the Crown is represented whether the case is defended or not.

30. Whenever the Magistrate of the district thinks that the Crown should be represented before the High Court, he shall make the requisition in the form given in Appendix C stating the reasons for which he thinks an appearance is necessary. No copies of the record need be sent in criminal appeals and in cases submitted to the High Court by the Sessions Judge under section 307, Code of Criminal Procedure, as the brief of such case is made in the High Court under the supervision of the office of the Legal Remembrancer. Copies of the commitment record need not be sent.

31. In every criminal case before the High Court in revision in which the Magistrate of the District desires the rule to be opposed, an explanation should be submitted to the Registrar. It is not advisable merely to give the Legal Remembrancer a general instruction to oppose a rule without submitting any explanation to the High Court direct.

32. Conversely, it is not sufficient merely to submit an explanation to the High Court in reply to a rule without instructing the Legal Remembrancer to oppose the rule. In every case in which the Magistrate of the district desires that a rule should be opposed, he should give the Legal Remembrancer full instructions.

33. Success in opposing a rule may depend upon the explanation submitted by the District Magistrate, and care should therefore be taken in drafting the same. The explanation should be as lucid and as concise as possible. It should specifically, separately and completely deal with every ground referred to in the rule: but it should not travel outside the grounds referred to in the rule. The explanation should not deal generally with the case, unless the rule is general in its terms.

34. In revision cases it is sufficient ordinarily to include in the brief for the Legal Remembrancer's use—

- (1) copies of the judgments or orders of the first court and of the Appellate Court :

- (2) a copy of the petition to the High Court ;
- (3) a copy of the explanation submitted by the Magistrate to the High Court.

35. Cases reported to the High Court by the Sessions Judge under section 438, Code of Criminal Procedure, 1898, should be dealt with upon the same principles as revision cases.

36. In serious or important cases the question whether Government should be represented or not should not depend on whether a pleader or counsel is employed on the other side, but should be decided by the Legal Remembrancer on the merits of the case itself. In cases which might take more of the Deputy Legal Remembrancer's time than he can afford to give with regard to his other duties, the Legal Remembrancer will exercise the authority vested in him of employing other counsel or vakils to appear for the Crown.

37. It will also be open to the Magistrate to apply through the Legal Remembrancer for the sanction of Government to the employment of counsel in mufassal cases. In cases, however, where there is no time to refer the matter to Government for sanction, the Legal Remembrancer's sanction will be sufficient.

Appeals against acquittal.

38. Whenever the local authorities are of opinion that there has been miscarriage of justice by the order of acquittal passed in any case either by a Magistrate or a Sessions Judge, the following instructions should be followed in making a reference with a view to an appeal being filed under section 417 of the Code of Criminal Procedure against such order of acquittal.

39. As a general rule, action under section 417 of the code will not be taken unless the case is of public importance, nor should it be taken in any case unless there has been a miscarriage of justice so grave as would induce the Local Government to move in the matter and unless there are good grounds for anticipating that the High Court will reverse the order. I. L. R. 22 Cal. 170.

40. No reference should be made for action under section 417 unless a very careful scrutiny of the entire record has led to the conclusion that the acquittal was not justified by the evidence. It is not sufficient to examine only a part of the record. The complete papers should be passed under review from the complaint or first information to the statements of witnesses before the police (so far as they are relevant), the depositions recorded at the judicial enquiry (if any), and the evidence given at the actual trial; and care should be taken to see whether the witnesses have given consistent stories throughout, or whether they have contradicted themselves or each other at different stages of the case. Under no circumstances should a reference be made in the absence of the

record of the trial itself; this can always be obtained, in the case of a Sessions trial, through the Divisional Commissioner. Chapter III, Rule 57, p. 97, H. C., C. R. and O., 1910.

41. Every reference when made should be accompanied by the complete records of all the courts which have had to deal with the case, and also by a clear statement of the circumstances which are considered to justify an appeal against an acquittal, and the point or points upon which it should be preferred. A mere criticism of the final judgment is insufficient and not to the point, and statements of matters not contained in the record should be altogether omitted.

42. When the case is one which has been tried by jury, it should be borne in mind that an appeal will lie only on a question of law; sec. 418 Cr. P. C. and I. L. R. 10 Cal. 1029 and the probative force or effect of evidence is a question of fact and not of law: sec. 6 W. R. Cr., 6. On the other hand, the High Court does not refuse to interfere with an acquittal not based upon the verdict of a jury when the judgment of the Lower Court is wrong and the accused should have been convicted; see. I. L. R. 17 Cal. 187, but in such cases it should be clear that the conclusions drawn from the evidence upon the record, upon which reliance can with safety be placed, are unreasonable and have produced a miscarriage of justice.

43. Any such reference must be submitted through the Divisional Commissioner, who will forward it to the Legal Remembrancer with an expression of his opinion. If the Legal Remembrancer considers that an appeal should be filed, he will report the case to Government for sanction. If in the opinion of the Legal Remembrancer it is not desirable to file an appeal, he will inform the Commissioner accordingly.

Rules for prosecutions by, or against, Public Servants.

44. The following is the procedure to be followed when prosecutions are instituted by public servants. Where the charge is of a cognizable offence, the prosecution will ordinarily be conducted by the police. Where the charge is of an offence which is non-cognizable, or, though cognizable calls for special arrangements, the officer who prefers the complaint should refer for instructions to the Magistrate of the district, who may, if he thinks fit, either instruct the officer himself to prosecute, or, if the case is of a complicated and difficult nature rendering, in his opinion, the employment of the Public Prosecutor or of some legal practitioner necessary for a proper prosecution, may direct the Public Prosecutor or some other person to prosecute and report the matter for the sanction of the Legal Remembrancer.

45. In all cases of criminal prosecutions brought against public servants for acts done in the performance of their public duties, Public Prosecutors are bound to defend them, and are entitled to fees provided that the Local Government has sanctioned the defence being undertaken

by Government at its expense. The sanction of Government shall, in the first instance, be obtained by the departmental head of the officer through the Legal Remembrancer before any action is taken in this behalf, unless there be no time for such reference.

16. (1) When a prosecution against a public servant for acts done in the discharge of his public duty is instituted by a public servant, the officer charged will be left to defend himself, but Government will defray his reasonable costs in the event of his being acquitted and it being shown that his conduct throughout had been free from all blame. If, though acquitted of the offence charged, his conduct should appear not to be free from blame, he will receive only such portion, if any, of the cost incurred by him as may seem fitting to the Government.

(2) In the case of a criminal prosecution instituted by a private person against a public servant for acts done in the discharge of his public duty, the following course will be followed :—

Section 197 of the Criminal Procedure Code lays down a special procedure in regard to criminal prosecutions against certain classes of officers. In those cases there would always be ample time to obtain the orders of Government as to undertaking the defence of the officers, and this should be done. In the case of criminal prosecutions against other classes of public servants, it may ordinarily be impossible to obtain the orders of Government before the commencement of the proceedings before the court, and, when this is so, it must rest with the local officers to decide whether the defence should be undertaken by the Government or not. Whenever it is probable, however, that the orders of the Government can be obtained in time, a full report should be at once submitted to Government through the Legal Remembrancer. If such orders are received before the commencement of the proceedings, they will be acted on: if not, the local officers should themselves decide upon the course to be taken.

(3) Where the accused is discharged or acquitted, the case will be dealt with as is provided under paragraph (1) allowance being made for the expenses or compensation (if any) realisable under the order of the court.

(4) It is to be distinctly understood that charges, the payment of which may be applied for under these rules must be moderate, and that the Government does not bind itself to pay unnecessary expenses which the officer concerned may choose to incur. In petty cases an appearance in person will be often quite sufficient, and where this is so, the employment of a pleader is superfluous. In the same way requests for the payment of counsel will be entertained only under very exceptional circumstances. If counsel is not engaged on behalf of the prosecution, ordinarily counsel will not be employed at Government expense on behalf of the defence.

47. But before any action is taken in pursuance of the rules hereinbefore mentioned regarding prosecution by and against a public servant, a public servant considering that a prosecution should be instituted to obtain redress for some wrong which he has suffered in connection with the discharge of his official functions should, whether he proposes to conduct the prosecution on his own responsibility and at his own cost, or whether he desires that the case should be instituted in his name under the orders and at the cost of the Government, submit through his official superiors a full report on the whole case to the Legal Remembrancer before taking any steps on the matter. On receipt of such report the Legal Remembrancer will submit the case with his remarks for the orders of Government.

48. When Government undertake the conduct of a case instituted by or against a public servant, the Magistrate may deal with the case in consultation with the officer concerned in accordance with the rules mentioned above or he may, with the sanction of the Legal Remembrancer, delegate his duties to the officer concerned, on condition that the said rules are strictly observed.

49. When the case is conducted under rule 48 by the officer concerned he must do so at a reasonable cost and must not incur expenses exceeding a total of Rs. 250 without the previous sanction of the Legal Remembrancer. No public servant who undertakes the conduct of a case instituted by or against him will be entitled to recover from Government any expenses that he may have incurred for this purpose unless he has complied with these rules.

50. The sanction hereinbefore mentioned should be taken at each stage of the case, *e.g.*, when a case is committed to the Sessions Judge or if there is an appeal to the Sessions Judge or to the High Court.

APPENDIX A.

DISTRICT	Government Pleader and Public Prosecutor.	REIMBURSEMENT.	
		Monthly retainer.	Daily rate of fees in criminal cases.
BURDWAN DIVISION.		Rs.	Rs.
Burdwan ...	Government Pleader ...	100	32
	Public Prosecutor ...	50	...
Hooghly ...	Government Pleader ...	100	32
	Public Prosecutor ...	50	25
Howrah ...	Government Pleader and Public Prosecutor (one officer).	100	32
Midnapore ...	Government Pleader ...	100	...
	Public Prosecutor ...	50	32
Bankura ...	Government Pleader and Public Prosecutor (one officer).	75	25
Birbhum ...	Ditto ditto ...	60	25
PRESIDENCY DIVISION.			
Jessore ...	Government Pleader and Public Prosecutor (one officer).	100	32
Khulna ...	Ditto ditto ...	75	25
Nadia ...	Government Pleader ...	75	...
	Public Prosecutor ...	50	25
Murshidabad ...	Government Pleader and Public Prosecutor (one officer).	60	25
RAJSHAHI DIVISION.			
Darjeeling ...	Government Pleader and Public Prosecutor (one officer).	60	25
Rajshahi ...	Senior Government Pleader ...	60	25
	Junior Government Pleader ...	50	25
Rangpur ...	Government Pleader and Public Prosecutor (one officer).	100	32
Dinajpur ...	Ditto ditto ...	60	25
Pabna ...	Government Pleader ...	75	25
Jalpaiguri ...	Government Pleader and Public Prosecutor (one officer).	60	25
Malda ...	Ditto ditto ...	60	25
Bogra ...	Ditto ditto ...	60	25
DACCA DIVISION.			
Dacca ...	Government Pleader ...	100	...
	Public Prosecutor ...	75	32
Bakarganj ...	Senior Government Pleader ...	100	32
	Junior Government Pleader ...	50	25
Faridpur ...	Government Pleader ...	75	25
	Public Prosecutor ...	50	25
Mymensingh ...	Government Pleader ...	100	32
	Public Prosecutor ...	50	25
CHITTAGONG DIVISION.			
Chittagong ...	Government Pleader ...	75	25
	Public Prosecutor ...	50	25*
Noakhali ...	Government Pleader and Public Prosecutor.	75	25
Tippera ...	Government Pleader ...	60	25
	Public Prosecutor ...	50	25

* Subject to special orders by Government.

APPENDIX B.

Bill of fees due to Babu _____, Public Prosecutor of _____, for conducting Sessions cases (for criminal appeals) during the month of 191 .

Number and date of calendar.	Names of parties.	Crimes	Number of persons concerned in the trial.	Name and designation of the officer conducting the prosecution.	Whether the prisoner confessed or not.	Number of witnesses examined for the prosecution.	Number of witnesses examined for the defence.	Date on which the case was heard.	Result: whether the prisoner was convicted or acquitted.	Fee demanded.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12
										Rs. A. P.	

I HEREBY certify that Babu _____, Public Prosecutor, attended my _____ Court on the _____ day of _____ 191 . Counter-signed for Rs. _____ only

Dated the _____ of _____ 191 . Sessions Judge. Magistrate. Signature of the Public Prosecutor.

APPENDIX C.**FORM****FROM****To**

**THE SUPERINTENDENT AND REMEMBRANCER OF LEGAL AFFAIRS,
BENGAL.**

CRIMINAL APPEAL No. _____ OF
APPLICATION No. _____ OF
APPELLANT
PETITIONER

SIR,

PLEASE cause appearance to be entered on behalf of the Crown in the above-mentioned case. A short statement of the facts of the case and the reasons for making this requisition are given below :—

CHAPTER II.

Establishment.

33.—Bengal Forest Cadre.

The sanctioned scale of permanent establishment sanctioned for the Forest Department in Bengal is as follows:—

Imperial Forest Service—

Conservator	...	1
Deputy and Assistant Conservators	...	10

Provincial Forest Service—

Extra Deputy Conservator	...	1
Extra Assistant Conservators	...	6

Sanctioned in Government of India letter No. 412F.—126-9, dated 24th April 1913, as amended by Government of India letter No. 106F., dated 20th December 1915.

Subordinate Forest Service—

Rangers—

1st grade	...	2
2nd "	...	3
3rd "	...	7
4th "	...	11
5th "	...	7
6th "	...	5

Deputy Rangers—

1st grade	...	12
2nd "	...	11
3rd "	...	12

Foresters—

1st grade	...	19
2nd "	...	21

Forest Guards—

1st grade	...	8
2nd "	...	41
3rd "	...	61
4th "	...	87
5th "	...	96
6th "	...	40

Sanctioned in Government of India letter No. 412F.—126-9, dated 24th April 1913.

Sanctioned in Government of Bengal, Revenue Department, No. 12493, dated 23rd December 1915.

Office Establishment.		Pay Ra.	
Superintendent	1	300—20—400	
	1	120—6—150	
	1	120	
	2	100	
	1	85	
	1	80	
Clerks	2	70	
	3	60	
	5	50	
	5	45	
	8	40	
	5	30	
	4	25	
Draftsman	1	40—1—50	
Duftry	1	12	
	4	10	
	4	9	
Peons	15	8	
	8	7	

Sanctioned in Government of Bengal, Revenue Department, No. 2452T.R., dated 1st November 1912, as modified by No. 1020 M.R., dated 3rd December 1912.

34.—Recruitment of Establishment.

1. The recruitment of the Imperial and Provincial Forest Services is regulated by the Forest Department Code.

2. Rules for the recruitment of the Bengal Provincial Forest Service and for the selection of Bengal candidates for deputation to the Ranger service course at Dehra Dun will be found under Article 24, Part I of this Manual.

3. The qualifications subject to which appointment to the classes of Ranger and Deputy Ranger may be made by the Conservator will be found under Article 52 of this Manual.

4. No special qualifications are prescribed for appointment to the classes of Forester or Forest Guard, but it is desirable that men appointed as Foresters should be sufficiently educated to be eligible for training at the Kurseong Forest School so that they may be deputed for training and become eligible for promotion.

5. No special qualifications are prescribed for appointment to posts in Temporary Establishment.

35.—Kurseong Forest School Rules.

I.—Constitution of the School.

1. The School, which will be under the administrative control of the Conservator of Forests, Bengal, is intended primarily for the instruction in practical forest work of the Subordinate Executive Establishment of the Bengal Forest Circle below the grade of Forest Ranger, and of men sent for instruction by Native States and

Zamindaris under the control of the Government of Bengal. If vacancies exist after the requirements of the above have been satisfied, private students may be admitted at the discretion of the Conservator and subject to such educational qualifications or practical tests as he may require. Such admissions will carry no stipend nor promise of future employment with them. Any alterations in the course of study or in the rules for admission of students shall be subject to the approval of the Local Government.

2. The Divisional Officer, Kurseong Forest Division, shall be Director of the School, in addition to his other duties. He will be assisted by an Instructor, who ordinarily will be an Extra Assistant Conservator of Forests of the Bengal Provincial Forest Service. The Director will be responsible for the supervision of the course of study and the accounts and correspondence connected with the School. The Instructor will be responsible to the Director for the discipline of the students and the upkeep of the School buildings and grounds.

II.—Rules for Admission.

3. Subject to such increase as may be necessary hereafter the number of students admitted annually shall be 16. Of this number 8 scholarships shall be reserved for subordinates of the Forest Department and 8 shall be allotted, at the discretion of the Conservator of Forests, Bengal, to Native States and Zamindaris under the control of the Bengal Government.

4. Nominations of Forest subordinates to studentships shall be made by the Conservator of Forests, Bengal, Divisional Forest Officers forwarding to him the names of men recommended not later than the 15th September in each year. Such recommendations shall be supported by medical certificates of physical fitness of recent date. Divisional Forest Officers shall not recommend men whose educational qualifications are insufficient to enable them to follow the course of instruction profitably.

5. Studentships allotted to Native States and Zamindaris will be distributed by the Conservator of Forests, Bengal. Applications for such studentships shall be made to the Conservator of Forests: in the case of Native States through the Political Officers, and in the case of Zamindaris through the Commissioner of the Division concerned. Applications for private students must be submitted through a District Magistrate or a Divisional Forest Officer to the Director.

6. Persons desirous of entering the School as private students must not be less than 18 or more than 25 years of age, and must submit the following certificates:—

- (i) A certificate that the candidate is a native of India.
- (ii) A certificate of age.
- (iii) A health certificate in the form prescribed by article 49 of the Civil Service Regulations, signed by the Civil Surgeon of the district in which the Divisional Forest

Officer's duties lie, and testifying to the candidate's sound constitution, good vision and hearing, and general physical fitness for a rough outdoor life in the Forest Department.

NOTE.—This certificate should also state that the candidate bears on his body marks of successful vaccination or of small-pox.

- (iv) A certificate of respectability and good moral character from two or more persons whose social or official position can be accepted as a guarantee of reliableness.

7. Forest subordinates deputed to the School will draw the pay of their grade subject to a minimum of Rs. 25 * per mensem, and while on tour will draw travelling allowance in accordance with the Civil Service Regulations. Students from Native States and Zamindars and private students will be required to pay in advance to the Director a sum of Rs. 50 to cover the use of quarters, stationery, instruments and shuldaries while on tour. Also they must deposit with the Director a further sum of Rs. 50 as security for good behaviour, which will be returned at the end of the course if not confiscated in whole or in part, or utilized to compensate for any damage done, or for bills left unpaid by them. Students deputed from Native States and Zamindaris shall be paid by the Director, and such pay shall not be less than Rs. 25 per mensem with the corresponding travelling allowance as drawn by Forest subordinates. The States or Zamindaris concerned shall remit to the Director funds sufficient to cover the pay and travelling allowance of their students. Ordinarily such remittance shall be made quarterly in advance.

* Vide Government of India, Revenue and Agriculture Department (Forests), No 2971.—99-2, dated 8th April 1914.

III.—*Course of Instruction.*

8. The course of instruction will be in English, and will extend from a minimum of 10 months to a maximum of one year, and will commence on the 1st November in each year. The first six months—from the 1st November to the 1st May—will be spent in practical instruction in the plains forests of the Kurseong Forest Division, or such other Forest Division of the Bengal Circle as the Conservator of Forests, Bengal, may direct: during this part of the course simple lectures will be given by the Instructor in order to more fully explain the practical work. The remainder of the course will be at Kurseong with such excursions as may be necessary to the hill forests of the Kurseong and Darjeeling Forest Divisions: during this part of the course regular lectures will be given by the Director and by the Instructor. Intermediate examinations will be held from time to time throughout the course at the discretion of the Director. The final examinations will take place at Kurseong during the last part of the course. These final examinations will be practical and oral, but written examinations to supplement the

oral test may, at the discretion of the Conservator of Forests, Bengal, be ordered in Sylviculture, Protection, Utilization, Roads and Bridges, Buildings, Mensuration and Arithmetic, Accounts and Law: they will be held by two officers of the Imperial Forest Service deputed for the purpose by the Conservator of Forests, Bengal, with the assistance of the Director and the Instructor.

9. The subjects taught during the course of instruction, which will be chiefly practical, will comprise—

I. FORESTRY—

(a) Sylviculture, including forest management—

(i) General, soil, climate, distribution of forests.

(ii) Artificial regeneration—

(1) Choice of species.

(2) Collection, testing and storage of seeds.

(3) Direct sowing—

(a) Conditions of success.

(b) Season for sowing.

(c) Preparation of soil.

(d) Various methods of sowing.

(4) Planting—

(a) Season for planting.

(b) Brief description of the different kinds of plants as regards age, size, quality, etc.

(c) Density of planting; distribution and number over the area.

(d) Lifting plants and protection in transit.

(e) Nurseries and their management.

(f) Brief description of the various methods of planting, and conditions, under which each method is advisable.

(g) Maintenance operations in plantations, weedings, cleanings and thinnings.

(iii) Natural regeneration—

The chief sylvicultural systems in use in the Bengal Forest Circle, including the treatment of bamboo forests.

(iv) Maintenance and improvement of forests—

Improvement fellings, thinnings, cleanings, climber cuttings.

(v) Working plans—

Necessity for and simple application of working plans, illustrated from plans in force in the Bengal Forest Circle.

(b) Protection—

Demarcation and protection of forests from injuries caused by men, animals, insects, fires, and natural causes.

(c) Utilization—

(i) Major produce—

Chief timbers and their uses.

Felling, conversion, seasoning, transport, stacking of timber and fuel.

Timber depôts and their management.

(ii) Minor produce—

Bamboos, grasses, charcoal, rubber, lac, myrabolans, honey wax, silk, etc.

II. FOREST ENGINEERING—

(a) Survey. Plane-table, chain and prismatic compass. Estimation of areas from maps, reduction and enlargement of maps and laying out specified areas on the ground.

(b) Buildings. Materials used in and construction of rest-houses and subordinates' quarters in the Bengal Circle. Preparation of estimates for the same.

(c) Roads and bridges. Alignment with ghat tracer and Abney's level. Laying out and construction of cart roads, bridle and foot paths. Construction of simple forest bridges.

III. MENSURATION AND ARITHMETIC—

Calculation of areas and volumes to the extent required by a Forest subordinate.

IV. BOTANY—

Elementary botany. Parts of a plant, methods of growth, reproduction and germination. The collection, mounting and preservation of specimens.

V. ACCOUNTS—

Instruction in range accounts and the upkeep of control forms.

VI. LAW—

The Forest Act and Rules under the Act.

10. The following marks will be allotted for work during the course. The marks for practical work and conduct will be allotted by the Director.

the Director.				Marks
*Forestry	{	Sylviculture	...	250
		Protection	...	150
		Utilization	...	100
†Engineering...	{	Survey	...	200
		Roads and bridges	...	100
		Buildings	...	100
		Maps and drawings	...	100
‡Miscellaneous	{	Mensuration and arithmetic	...	75
		Botany	...	100
		Accounts	...	100
		Law...	...	75
Practical work throughout the course and conduct judged from the standard of suitability as a Forest subordinate				150
				<hr/> 1,500

NOTE.—* One-third for Intermediate Examinations
 Two-thirds for Final ditto.
 † Two-thirds for Intermediate ditto.
 One-third for Final ditto
 ‡ One-third for Intermediate ditto
 Two-thirds for Final ditto

11. Students obtaining not less than 55 per cent. of the marks for forestry, engineering and practical work and conduct, and 50 per cent. of the marks in other subjects, shall be entitled to receive a pass certificate. Certificates of having passed with credit will be given to students who in addition to the above obtain 75 per cent. of the total marks including 80 per cent. of the marks in forestry and engineering. Government students who pass with credit shall receive a step in promotion on the occurrence of the next vacancy after they return to ordinary duty, provided that their work and conduct after leaving the School have been satisfactory.

IV.—Disciplinary Rules.

12. Except with the special permission of the Director all students, including those deputed from Native States and Zamindaris, shall live in the quarters provided while at Kurseong. Wives and families cannot be accommodated. The Director shall have the powers of a Divisional Forest Officer over all students, and in addition shall be empowered to suspend any student for gross misconduct or proved inability to profit by the course of instruction. Every such suspension shall be reported to the Conservator of Forests, Bengal, without delay, who will order the removal of the student from the School should he consider it desirable to do so.

Government students must wear the uniform of their grade while at the School. Other students shall wear such uniforms as may be prescribed by the Director.

Instructions for regulating the admission of Members of the Subordinate Forest Service in Bengal as Students at the Kurseong Forest School.

A.—Vacancies in the class of Deputy Rangers and lower classes caused by deputations to the School may be filled either by sub. *pro tem.* promotions, or by temporary appointments of qualified outsiders. All such sub *pro tem.* promotions and temporary appointments will be made by the Conservator at his discretion, subject to the following conditions:—

- (1) The maximum cost of replacement shall not exceed Rs. 200 per mensem for the men deputed in each year.
- (2) Temporary appointments or promotions shall not be made to a higher post than that of the officer deputed. (Thus a temporary Deputy Ranger, second grade, may not be appointed in place of a Deputy Ranger, third grade, or Forester at the School.)
- (3) One temporary appointment or set of promotions only shall be given for each officer deputed. (Thus two Foresters or Guards may not be temporarily appointed for one Deputy Ranger at the School.)

B.—Should the Conservator decide to depute a lesser number of Forest subordinates as students in any one year than is prescribed in the rules for admission to the School, the maximum cost of replacements in the Circle will be reduced by Rs. 25 for each student below the number fixed.

36.—Leave of absence in the Forest Department.

Leave of absence in the Forest Department is regulated by the Civil Service Regulations, and as provided in Article 841 (b), Civil Service Regulations, such leave may be granted by the authority whose duty it would be to fill the appointment if vacant.

Under Article 841 (c), Civil Service Regulations, further powers have been delegated by Government to the Conservator and Divisional Forest Officers. (See statement of powers delegated under the Civil Service Regulations.)

NOTE.—Except in the case of leave on urgent private affairs or on medical certificate, an officer should give at least three months' notice of intention to apply for leave.—vide Government Appointment Department Order No. 857A.—D, dated 2nd June 1911.

37.—Rules regulating the grant of casual leave and of permission to leave a station, district or charge during Gazetted holidays.

1. Casual leave is not recognised by the Civil Service Regulations, and an officer absent on casual leave is not treated as absent from duty. The grant of such leave is, however, subject to the conditions specified in the note to article 332 of the

Government Order No. 719A, dated 26th January 1914

Regulations. Government will make no arrangement to supply the place of officers absent on such leave. The officer granting the leave and the officer taking it will be held responsible if the public service suffers in any way from the absence of the officer on casual leave.

2. Casual leave may not be combined with any other kind of leave, and may not extend to more than ten consecutive days in the calendar year. Ordinarily, it may not extend to more than ten days in any one calendar year exclusive of gazetted holidays. If, in exceptional circumstances, the sanctioning authority grants, for urgent special reasons, a few days more than the ten days, the grant, with the reasons, must be reported at once for the information of Government.

If casual leave is taken in extension of gazetted holidays, those holidays must be counted as part of the leave.

3. Casual leave should only be granted for adequate reasons and cannot be claimed of right or given when the interests of the public service forbid it. The concession of casual leave must not be converted into an unauthorized system of privilege leave. Commissioners and Government officers of all grades must not allow the privilege to be abused.

An officer who takes casual leave when on tour is not entitled to draw daily allowance during such leave.

The officers empowered to grant casual leave may also grant to their subordinates leave of absence during holidays.

In all cases in which the officer asking for casual leave, or for leave of absence during holidays, desires to absent himself from the jurisdiction of the officer empowered to grant the request, this fact must be clearly stated in the application.

4. Commissioners of Divisions require the sanction of Government to casual leave taken by themselves, and should report the grant of it for the information of the Board of Revenue. Other Heads of Departments likewise require the sanction of Government. The undermentioned authorities are authorized to grant casual leave to the officers named in the following list:—

<i>Sanctioning authority</i>	<i>Subordinate officers.</i>
Conservator of Forests ...	... Deputy and Assistant Conservators and Extra Deputy and Extra Assistant Conservators.
Divisional Forest Officers	... Non-gazetted and ministerial officers of the Department.

5. Ministerial officers may be granted leave by the head of their office.

6. Every authority which grants casual leave shall cause a register of such leave to be maintained in the following form. The register should be regularly examined by Inspecting officers.

Column 1.—Name and rank of officer to whom casual leave has been granted.

Column 2.—Date on which leave begins and ends.

Column 3.—Remarks.

38.—Recess.

Gazetted Forest Officers solely employed on the preparation of a working plan for a district or locality where outdoor work is impracticable during the whole or part of the rainy season are allowed to spend up to two and a half months between the 15th June and 15th October in Darjeeling, provided that—

Bengal Government letter No 1498T.
—R, dated 10th July 1903

(i) No travelling allowance is drawn by these officers for their journeys to and from Darjeeling.

(ii) No travelling allowance is drawn by them for the period of their stay in Darjeeling.

(iii) Any clerical help which may be required by them shall be furnished by the office of the Conservator of Forests, Bengal, without any extra cost to Government.

The Conservator may in the interests of the public service summon or permit to come to his headquarters in Darjeeling for not more than two months in the period 1st June to 31st October any officer of the Imperial Forest Service, or any officer of the Provincial Forest Service who is in charge of a Forest Division, subject to the following conditions:—

Bengal Government letter No 660T.
—R, dated 1st June 1911.

(a) That the work of a Forest Division will not suffer by the absence of the officer.

(b) That no extra expenditure to Government is caused. (Officers must defray their own travelling expenses as well as the travelling allowance of any clerks or peons that they take with them).

(c) That any officer shall be liable to be recalled at any time by the Conservator, and when so recalled shall bear all costs of his journey to his head-quarters.

39.—Character Rolls and Confidential Reports.

1. The character rolls of Imperial and Provincial officers of less than 15 years' service should be prepared in Form I (Adopted Form No. 18). A separate sheet should be devoted to each officer, and the sheets should be placed together in a pasteboard character book labelled with the officer's name and kept confidentially. Remarks on (1) administrative capacity, (2) technical skill,

Bengal Government letter No 1756T.
—R, dated 20th September 1910.

(3) physical capacity, (4) moral character should be recorded once a year on 25th June. The rolls of officers in independent charge of Forest Divisions should be filled by the Conservator, and these officers in turn should fill in the rolls of their gazetted subordinates. No officer should have a "black mark" set against his name without being informed of it, in order that he may have an opportunity of explanation and reform. For this purpose "black marks" or unfavourable opinions may be divided into three classes, viz:—

- (1) Remarks of so damaging a character as to indicate a course of official conduct which, if persisted in, must entail orders injurious to the officer affected.
- (2) Remarks indicating faults in an officer's official character which may be remedied.
- (3) Remarks upon faults in the character of an officer which would not affect his claims to ordinary promotion or higher emoluments, and which are not likely to be corrected by him.

In communicating the *substance* of the remarks through the proper channel officers who come under class (1) should be given a warning to the effect that serious notice will be taken of their conduct unless they show improvement, and those who come under class (2) should be told that it is hoped that the next year's report will show that they have remedied the faults pointed out. It is not, however, intended that reasons for the opinions recorded should be stated, or that there should be any long and disagreeable correspondence in this matter between the officer concerned and his superiors. An officer subordinate to the Conservator is not entitled to demand reasons, and if any officer desires to know reasons he should be informed that any explanation he may have to offer will be submitted to Government with the Conservator's remarks. Whenever, therefore, reasons arise for the grant of promotion, or of a personal allowance, or for the stoppage of an increment, the character roll of the officer concerned should be submitted to Government in original in a confidential cover.

With regard to officers of the Indian Forest Service of 15 years' standing and upwards this Government should be furnished not later than the 1st of June in each year with a report in Form II (Adopted Form 19) based upon the original character rolls maintained in the Conservator's office.

2. Confidential character rolls will be kept in Divisional Forest offices for all members of the Subordinate Forest Service and clerks.

Conservator's Circular No. 171—456,
dated 11th July 1911.

Confidential reports for the Rangers, Deputy Rangers and 1st grade Foresters (if recommended for promotion to the class of Deputy Ranger) and for clerks on pay exceeding Rs. 30 per mensem (and junior clerks *if recommended for promotion to the grade on Rs. 35 per mensem*) will be submitted by Divisional Forest Officers to the Conservator annually on the 1st July in Adopted Form No. 17.

3. The communication to inferior officers of the remarks and correspondence of their superiors in authority and position is always a matter of discretion.

If distinct charges are made against officers, or special praise awarded to them, they will, as a matter of course, be furnished with the remarks of their superiors; but they have no right to demand a copy of every official report made concerning them.

While discretion should be used in communicating *copies* of confidential reports it is desirable that subordinates should have their attention called to defects in their work and conduct and that they should be warned by Divisional Forest Officers so that they may remedy the defects which are recorded in their confidential reports. The *substance* of adverse remarks should be communicated to the subordinate, and any representation he may make should be recorded (in the case of subordinates whose confidential reports are submitted to the Conservator, the representation should be forwarded to the Conservator to be attached to the confidential report containing the adverse remarks). Ordinarily no *reply* will be made to such representations; they will simply be recorded.

4. Further instructions regarding the principles to be observed in communicating to subordinate officers unfavourable remarks made by their superior officers are contained in Resolution No. 1568-1595, dated the 14th September 1915 of the Government of India, Home Department, and in letter No. 5489, dated the 26th June 1916 of the Government of Bengal, Appointment Department, forwarding that Resolution.

40.—Rules for the grant of Medical Certificates.

I.—The duty of granting medical certificates and of countersigning certificates, under articles 833 and 834 of the Civil Service Regulations shall be performed by the Civil Surgeon of the district who will examine or countersign certificates relating to persons of all departments who belong to, or are employed in, his district. He shall on no account examine or countersign a certificate for a person attached to another district, except under the circumstances described in Rule V. In Calcutta such duties shall be performed by the medical officer to whom the department to which the applicant belongs is allotted for the purpose.

NOTE.—Under the orders contained in Government Resolution No. 1096 Medl, dated the 23rd July 1910, the countersignature of medical certificates by a Presidency Surgeon, has been dispensed with in cases of certificates given by the medical practitioners whose names appear in the list of qualified medical practitioners in Bengal. The list of qualified medical practitioners will shortly be replaced by the register of medical practitioners to be maintained under the Medical Act, 1914 (Bengal Act III of 1914).

II.—An officer of Government, gazetted or non-gazetted, who is desirous of obtaining a medical certificate recommending leave,

extension of leave or retirement, must apply with the cognizance of the head of his office, or if he is himself the head of his office, of the head of his department, to the Civil Surgeon of the district in which he is employed, or, in the case of railway employes, to the Chief Medical Officer of the line. The certificate shall be granted whether the officer is gazetted or non-gazetted, in the form prescribed by article 828 of the Civil Service Regulations in the case of leave or extension of leave, and by article 417 in the case of retirement. In the case of leave or extension of the leave the Civil Surgeon or Chief Medical Officer may, if the patient is unable to travel to head-quarters, call upon one of the medical officers under him to certify, but must himself countersign the certificate if satisfied that it is correct. If the officer is employed in Calcutta, he must apply to the medical officer to whom the department in which he is employed is allotted.

III.—Medical officers should be very careful to see that sick certificates are not granted until they are fully acquainted with the reasons that have caused the applicant to report sick, and that in no case is such a certificate granted until an application has been received from the head of the patient's department or office, or the patient can produce an order from the head of his department or office to obtain and submit a certificate.

IV.—When applicants are reported by their departmental superiors as having reasons other than or in addition to illness for applying for sick leave, they should be kept under close observation to enable the medical officer to satisfy himself whether or not leave is absolutely necessary, and his final decision should be based on the result of such observation.

V.—Officers on leave, who, while at a station other than that from which they went on leave, are desirous of obtaining an extension of leave on medical certificate, must apply, if in Calcutta, to the medical officer to whom the department in which they are employed or the department of the Secretariat to which they are immediately subordinate is allotted, and if in the mufassal, to the Civil Surgeon of the district. In every such case it shall be the duty of the medical officer, before he grants a certificate, to ascertain particulars regarding the applicant's previous medical history, as well as whether he is really on leave, and the district to which he belongs; and the fact that this has been done shall be mentioned in the medical certificate.

VI.—Candidates selected for Government service and sent for medical examination by the head of the department or office for which they have been selected shall be examined free of charge. Such medical examination must be made by the Civil Surgeon or Chief Medical Officer himself. In Calcutta such examination shall be performed by the medical officer to whom the department has been allotted.

VII.—Medical certificates granted to selected candidates for employment in Government service will ordinarily be in the form prescribed by article 49 of the Civil Service Regulations. In the

case of candidates for the Provincial Service and in special cases, when required by the head of the department, the certificates shall be granted in the subjoined form :—

I, _____, do hereby certify that I have examined
a candidate for employment in _____
His age is by his own statement _____
years and by appearance _____ years.

- (a) General conformation.
- (b) Vision.
- (c) Hearing.
- (d) Lungs.
- (e) Heart.
- (f) Liver.
- (g) Spleen.
- (h) Hernia, present or absent.†
- (i) Hydrocele, present or absent.†
- (k) Glycosuria, present or absent.†
- (l) Albuminuria, present or absent.†
- (m) Distinguishing marks.

I consider that he is of sound health and good physique, and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government.†

I consider him unfit to enter the service of Government for the reason given at† _____ Place

Date _____

[* Designation of medical officer.
† Strike out "present" or "absent" in (h), (i), (k), and (l), and whichever of the concluding sentences does not apply.]

VIII.—In every case, if the opinion of the medical officer is unfavourable to the applicant, an appeal shall lie to a Medical Board and the decision of the Board shall be final.

NOTE.—Appeal to the Medical Board under this rule must be made within 15 days from the date of the communication to the examinee of the result of the medical examination

41.—Civil suits by or against Public Servants.

[Vide Government of Bengal Circular No. 1649J., dated the 15th May 1916.]

92. A public servant considering that a suit should be instituted to obtain redress for some wrong which he has suffered in connection with the discharge of his official functions should, whether he proposes to institute the suit on his own responsibility and at his own cost, or whether he desires that the suit should be instituted in his name under the orders and at the cost of the Government, submit, through his official superiors, a full report on the whole case to the Legal Remembrancer before taking any steps in the matter. On receipt of such report the Legal Remembrancer will submit the case with his remarks for the orders of Government.

93. A public servant against whom a suit is instituted in respect to anything purporting to have been done by him in his official capacity without the notice required by section 80, Civil Procedure Code, having been duly served on him, should, as a rule, move the Court to dismiss the suit, on the ground that it has been instituted contrary to the provisions of that section.

94. When notice of an intention to institute such a suit is received by a public servant under section 80, Civil Procedure Code, he should, whether he proposes to deal with the matter on his own responsibility and at his own cost or whether he desires that it should be taken up in his name under the orders and at the cost of Government, submit a full report of the case with a statement of the action he proposes to take, for the orders of Government through the Legal Remembrancer and before the receipt of such orders he shall, if possible, avoid taking any steps in the matter. Nothing in this rule, however, shall prevent him from entering into an arrangement for the amicable settlement of the case, provided that such arrangement is made subject to the sanction of Government.

95. An officer preparing a report under Rule 92 or Rule 94 or presenting an application under Rule 93 shall be entitled to the assistance of the Government Pleader.

96. When the Government undertakes the conduct of a case instituted by or against a public servant, the Collector may deal with the suit in consultation with the officer concerned in accordance with the rules for the conduct of suits by or against Government, or he may, with the sanction of the Legal Remembrancer, delegate his duties to the officer concerned on condition that the said rules are strictly observed.

When the case is conducted under this rule by the officer concerned, he must do so at a reasonable cost and must not incur expenses exceeding a total of Rs. 250 without the previous sanction of the Legal Remembrancer. No public servant who undertakes the conduct of a suit instituted by or against him will be entitled to recover from Government any expenses that he may have incurred for this purpose unless he has complied with these rules.

97. It is to be distinctly understood that charges, the payment of which may be applied for under these rules, must be moderate, and that the Government does not bind itself to pay unnecessary expenses which the officer concerned may choose to incur. In petty cases an appearance in person will be often quite sufficient, and, where this is so, the employment of a pleader is superfluous. In the same way requests for the payment of counsel will be entertained only under very exceptional circumstances. If counsel is not engaged on the other side, ordinarily counsel will not be employed at Government expense on behalf of the public servant.

98. The sanction hereinbefore mentioned should be taken at each stage of the case, *e.g.*, when there is an appeal.

42.—I.—Removal, Dismissal and Punishment of Government Servants.

1. No order shall be passed inflicting upon any servant of Government the punishment of dismissal or removal, or in the case of servants of Government drawing more than Rs. 10 a month, of reduction to a lower grade of pay, without the preliminary of a departmental enquiry.

Bengal Government Order
No. 1190T.B., dated the 4th June 1901,
as amended by its order No. 1065T—
R., dated the 6th July 1911.

2. The record of such departmental enquiry will consist of a proceeding in the form noted below and shall include—

- (a) the framing of specific charges in writing against the Government servant concerned, of which he shall be furnished with a copy and which he shall be called on to explain ;
- (b) the record of a memorandum of the evidence of the witnesses examined (if any). Such examination should, if there be no special reason to the contrary, be conducted in the presence of the accused, who should be given an opportunity of questioning the witnesses. Except under very special circumstances, no pleader or agent should be allowed to appear either on behalf of Government or the accused, either before the officer who conducts the enquiry or any officer to whom appeal may be made ;
- (c) a reasonable opportunity to the accused of adducing his defence, which shall be reduced to writing, also the record of a memorandum of the evidence of any witnesses adduced by the accused in so far as their evidence may be relevant to the charge against him ;
- (d) a recital of the accused's previous character as recorded in his service book or office records ;
- (e) a clear and definite finding upon each of the charges originally framed against the accused ;
- (f) a clear and definite finding as to the punishment to be inflicted.

3. When the orders for punishment are passed by an authority other than the person conducting the enquiry into the conduct of the Government officer concerned, it will be sufficient if the authority passing orders of punishment definitely records his agreement or disagreement with the person by whom the enquiry was conducted.

4. The record is to be prepared as the case is gone into : it is not to be written by a clerk after the case has been decided.

5. When any orders of punishment have been passed, the officer punished shall be entitled to receive a copy of the order of punishment free of cost and shall also be allowed to take a copy of the

rest of the records, paying for the copy at the usual copy rates or providing his own paper and copyist.

6. The special attention of all officers is drawn to the rules

(i) As a rule, only the substance of a decision should be communicated to the officer concerned, with such statement of the grounds upon which it is based as may be necessary for the information of the officer and may be considered expedient, having regard to the circumstances of the case; (ii) Despatches from or to the Secretary of State and correspondence indicating a difference of opinion between the Local Government and the Government of India should only be communicated with the express permission of the Government of India.

prescribed under the authority of the Government of India and reproduced in the margin. In accordance therewith they should base their findings and orders of punishment upon facts and inferences appearing in or deduced from the records, and the judgment should not contain confidential matters or deal with persons or topics not directly concerned with or at issue in the proceedings. With regard to such matters,

which properly form the subject of separate correspondence, Rule 23, Section IX, page 26 of the Records Manual will apply.

7. The above instructions will not apply—

(i) In the case of public servants—

(a) who are judicially convicted of a criminal offence and are dismissed or otherwise punished solely with regard to the finding of the court, or

(b) who abscond with an accusation pending against them.

(ii) When from facts elicited in a criminal case brought against a public servant, in which the latter has not been convicted, or in a civil suit instituted against him, it is apparent that his retention in the public service is *prima facie* no longer desirable. These facts may be used as the basis of an order calling on him to show cause why he should not be punished by dismissal or otherwise. In such a case the officer concerned should have an opportunity of submitting his defence, and he should not be precluded from tendering such further evidence in support of his case as he may see fit to produce.

8. An appellate authority should ordinarily deal, as is customary, with those points only that are raised or pressed in the appeal.

Instructions for drawing up proceedings.

PROCEEDINGS.

The following sequence will be observed :—

(1) Name, rank, and grade of officer proceeded against.

Against _____

(2) Each offence charged to be explicitly set forth (pages to).

Commenced _____

(3) A memorandum of evidence to be recorded.

Concluded by Divisional Forest Officer.

- (4) Defence. This must be reduced to writing. If a written defence is submitted, it will form part of the record.
- (5) Remarks. Here record comments on the evidence (pages to). Concluded by Appellate authority.
Order of D. F. O.
- (6) Character of the accused (pages to).
- (7) Order will be recorded in the form prescribed (pages to). Final order of Appellate authority.
- (8) Orders, if any, regarding subsistence allowance, service for pension.

N.B.—If it is decided to prosecute, this will be noted as a preliminary order; the final order being recorded when the judicial proceedings, including appeal, have been disposed of. Date of issue of copy of order by D. F. O.

DIVISIONAL FOREST OFFICER'S ORDER.

Divisional Forest Officer.

Dated

CONSERVATOR'S ORDER.

Conservator.

Dated

"An appeal against this order lies to
"It must be made within 30 days from

NAME, RANK AND GRADE OF OFFICER PROCEEDED AGAINST.

CHARGES.

(Charges must be specific. Each charge should be drawn up and separately numbered, and should give the date, occasion, and nature of the offence committed. A copy should be given to the officer charged.)

Number.	Particulars.

EVIDENCE.

(A memorandum of evidence to be recorded :—When the full statements of witnesses have been recorded in English or the Vernacular, they should be attached to the proceedings.)

Charge number.	Particulars.

DEFENCE.

(This may be recorded in abstract ; the full defence, if one is submitted in writing, being attached to the proceedings.)

(If the officer charged can write, he should be permitted to submit his defence in writing. In cases of illiterate men, the Divisional Forest Officer may record the defence.)

Charge number.	Plea.

REMARKS.

(Here record comments on the evidence and defence.)

Charge number.	

CHARACTER.

(Date of appointment. Punishments and rewards to be noted.)

ORDER.

(Will be recorded in the form prescribed. Orders, if any, regarding subsistence allowance, service for pension, etc., should be given.)

Charge number.	Finding and sentence by Divisional Forest Officer.

ORDER OF THE CONSERVATOR OF FORESTS.**II.—Dismissal of Public Servants.**

1. In the circular letter from this Department No. ^{11-Public}₁₀₉₅₋₁₀₉₄, dated the 21st June 1894, the Government of India enquired what rule was observed with regard to giving Government officers necessary information as to dismissals of public servants; whether any difference was made between cases where re-employment is prohibited and where it is not; and whether in any case of dismissal in which it is decided to issue a public notification the cause which led to the dismissal is specified. The replies received to the letter of 21st June show that a uniform practice is not observed in the different Provinces in dealing with this matter. The Governor-General in Council accordingly, deems it desirable to state the general principles which should be observed in disposing of such cases.

2. In the first place, His Excellency in Council desires to direct attention to the distinction that exists between the removal or discharge, and the dismissal, of a public servant. Removal from office for such a cause as unfitness for the duties of the office need not usually entail any further consequences. It ought not to bar re-appointment to another office, for the duties of which the person may be suited, and it should not be accompanied by any subsidiary orders which would operate as such a bar or otherwise prejudice the person in question. Removal should be the penalty in all cases where it is not thought necessary to bar future re-employment under Government.

3. In cases of dismissal, on the other hand, the effect of the order should be to preclude the dismissed officer from being re-employed. Ordinary cases of the dismissal of non-gazetted officers

need not be notified in the Government Gazette. As a precaution against the inadvertent re-employment of men who may have been dismissed, it would be sufficient to rule that officers should ascertain whether an applicant for a post has been in Government service before, and should refer to his previous employer if the circumstances connected with his discharge are not clear. The applicant should be required to produce a copy of his character book or other record of service, and a person who succeeds in obtaining employment by the concealment of his antecedents would obviously merit dismissal on the true facts being discovered. The sanction of the Local Government or Administration should always be required to the re-employment of persons dismissed.

4. The dismissal of public servants should, the Governor-General in Council considers, be notified in the Gazette only in the following cases, viz., (1) when it is necessary to notify the public of the removal from service of an officer, whether because his appointment was previously gazetted or from any other cause, and (2) when it is specially desired to exclude from re-employment in the service of Government of public servant who has been dismissed for a heinous offence, such as fraud or falsification of accounts.

5. The reason for the dismissal of a public officer should not be stated in the notification regarding his dismissal, even in cases in which a conviction has been obtained in a Criminal Court. It will be sufficient to announce in the case of any person whose dismissal will be notified in accordance with the principle laid down in paragraph 4 of this circular, that the Government has dispensed with his services, except in those cases in which the cause of dismissal constitutes a disqualification under the terms of the law regulating the tenure of a particular appointment, and it is for this reason necessary to couple with the announcement of the dismissal a statement of the grounds upon which it has been ordered.

6. The Government of India leave it to the Local Governments to make such arrangements as they think necessary for securing that officers serving under them are informed what Government servants, other than those whose dismissals have been gazetted, have been dismissed. There is not before the Government of India sufficient evidence to show that it is necessary to communicate such information between Provinces, if the precautions above mentioned are taken by officer when making appointments to vacant posts.

43.—Rules regarding the presentation of Appeals and Petitions.

[Bengal Government Orders No. 2494, dated the 4th December 1913 and No. 7878, dated the 17th August 1914.]

Rule 1.—Officers of Government belonging to the Provincial and Subordinate Civil Services and officers of similar status in other Departments, who are appointed by Government, shall have the right of preferring an

appeal to the Government of India, in cases where the Local Government has passed an original order which materially affects the position of the appellant in the public service, *e.g.*, against orders of dismissal, suspension or degradation. But no appeal shall lie against the refusal of the Local Government to grant any pensionary or other concession which cannot be claimed under law or rule, or against an order of the Local Government acting as an appellate court.

Explanation (1).—"Subordinate" services do not include "ministerial" officers as defined in Article 36 of the Civil Service Regulations (5th edition), or executive officers in superior service whose appointments are made by the Board of Revenue or the Head of a Department.

Explanation (2).—An "original order" in this as in the following rules includes any variation of the orders appealed against, resulting in a material disadvantage to the appellant, in excess of any disadvantage contained in the order appealed against.

Rule 2.—The appeal to the Government of India under Rule 1 must be made within six months from the date of communication of the order of the Local Government to the appellant.

Rule 3.—Executive officers in superior service, whose appointments are made by the Head of a Department, shall have the right to prefer a single appeal to the Local Government in the Department concerned or to the Board of Revenue, whichever is the controlling authority of the Head of the Department, in cases in which the Head of Department has passed an original order which materially affects the position of the appellant in the public service, *e.g.*, orders of dismissal, removal, suspension or degradation. But where the Head of a Department has acted as an appellate authority in respect of any orders passed by a subordinate officer, which the latter is competent to pass, such decision shall be final, except in the case of officers drawing more than Rs. 100 per mensem, to whom a second appeal will be allowed.

Rule 3A.—Rule 3 should apply *mutatis mutandis* to executive officers in superior service whose appointments are made by the Board of Revenue and to the right of such officers to appeal against orders of the Board.

Rule 4.—All ministerial officers, to whatever branch of the Administration they may belong, shall have the right of preferring a single appeal from an order of dismissal, removal, degradation, suspension or stoppage of promotion or of increment of pay, to the authority immediately superior to the officer who originally passed such order, that is to say, an appeal from an order originally passed by any officer subordinate to a District Officer shall lie to the District Officer, from orders originally passed by a District Officer to the Commissioner of the Division or the Head of the Department, as the case may be, and from an original order by a Commissioner or a Head of a Department to the Board of Revenue or to the Local Government, whichever is the controlling authority in the subject concerned, and from an original order passed by the Board of

Revenue to the Local Government. Ministerial officers on a pay of more than Rs. 100 a month shall have the right of preferring a second appeal (1) against an order of dismissal or removal, or (2) against an order of suspension or degradation or stoppage of promotion or of increment of pay, when the period in respect of which the order is passed exceeds six months :

Provided that no appeal shall in any such case lie to the Government of India ;

Provided also that an order passed on appeal by the Board of Revenue or the Head of a Department or a Commissioner of a Division shall, in the case of an officer whose service is superior and who draws pay of less than Rs. 50 a month, be final.

Rule 5.—No appeal as of right shall lie against an order declining to give an appointment or promotion to a particular individual, or affecting a transfer or an extension of service.

Rule 6.—The order of the Local Government shall be final in the case of dismissal, degradation, suspension or stoppage of promotion or increment of pay of the ministerial officers belonging to any Department of the Secretariat.

Rule 7.—All appeals under Rules 3, 3A and 4 must be preferred within the period of two months from the date of communication of the order to the appellant.

Rule 8.—Every petition of appeal by a Government servant against an order of a superior officer must be properly authenticated by the signature of the petitioner and presented to the appellate authority through the officer against whose order the appeal is made. Petitions presented to the appellate authority direct will be invariably returned for presentation through the proper channel.

Rule 9.—Every petition of appeal by a Government servant against an order of a superior officer shall be accompanied by a copy of the order appealed against.

Rule 10.—The officer to whom a petition of appeal is presented by a Government servant shall invariably forward it to the appellate authority with the least possible delay and ordinarily within a week. The petition should be copied on half margin and in the margin should be noted the observations of the officer whose order is appealed against on the allegations and contentions contained in the petition, special attention being drawn to any that are being put forward for the first time and to the existence or non-existence of any materials in the records bearing on them.

Rule 11.—Petitions of appeal by Government servants and *ex-Government* servants submitted under these rules need not be stamped.

Rule 12.—Applications and petitions when presented to Commissioner or to the Board with a request to exercise some power of revision conferred on them by any law, or by any rule having the force of law, are liable to stamp duty under the Court Fees Act, VII of 1870.

Rule 13.—Menial and other servants of Government in inferior service shall have the right of only one appeal from an order of dismissal, removal, suspension or fine to the authority next above the officer who passed the order.

Rule 14.—Any combination for the purpose of memorializing any authority to which the memorialists may be subordinate is forbidden, but officers may join in submitting combined memorials when the matter about which they wish to petition is not connected with their position as servants of Government.

Rule 15.—Petitions may be withheld by the Board of Revenue, Commissioner, District Officer or Head of a Department to whom they are presented or forwarded on any of the following grounds:—

- (1) When a petition is illegible or unintelligible.
- (2) When a petition contains disrespectful or improper language.
- (3) When a previous petition on the same subject has been disposed of by the authority to which it is addressed (unless a second appeal lies to a higher authority) and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.
- (4) When the petition is an application for pecuniary assistance by a person manifestly possessing no claim.
- (5) When a petition is an application for employment in a post to which appointments are made by Departmental or District Officers, or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.
- (6) When a petition is an appeal from a judicial decision with which the executive Government has no legal power of interference, but in the case of petitions of this nature, where the case is one in which the Government is a party to a civil suit or where the petition is practically a prayer for mercy or pardon, the petition should not be withheld.
- (7) When a petition is addressed by an officer still in the public service and has reference to his prospective claim to pension, except as provided in article 915 of the Civil Service Regulations (5th edition).
- (8) When a petition is an appeal against an appellate order in cases in which no further appeal lies.
- (9) When a petition is an appeal against the non-exercise by a Commissioner, District Officer or Head of a Department of a discretion vested in him by law or by rule.

- (10) When a petition is an appeal against a decision by an officer or any local municipal or other authority which by any law or rule having the force of law is declared to be final.
- (11) When a petition is an appeal or application in a case for which the law provides a definite specific remedy or in regard to which the time limited by law for appeal or application has been exceeded.
- (12) When the petition is an appeal against an order of a Commissioner, District Officer or Head of a Department and is made more than two months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.
- (13) When a petition relates to a subject on which a Commissioner, District Officer or Head of a Department is competent to pass orders, and no previous application for redress has been made to him.
- (14) When a petition does not comply with the requirements of any of the foregoing rules.

Rule 16.—Each authority empowered to withhold petitions under Rule 15 shall maintain a list of petitions so withheld in the form given at the end of these rules. Extracts from this list for the previous six months shall be forwarded on the 1st April and 1st October—

- (a) by District Officers to the Commissioner if the petitioner is subordinate to the Commissioner, or to the Head of the Department concerned, if the petitioner is subordinate to the Head of a Department and not to the Commissioner,
- (b) by Commissioners and Heads of Departments to the Board, if an appeal lies to the Board, or the power of revision is vested in the Board; and in other cases to Government,
- (c) by the Board to Government in respect of petitions withheld by the Board.

These lists should be scrutinized by the authorities to whom they are submitted. They need not be forwarded to higher authority, but such action as may be deemed necessary should be taken regarding any petition which appears to have been withheld on insufficient grounds, or in respect of which further enquiry is considered desirable.

Rule 17.—When a petition of appeal preferred by a Government servant is being considered, it shall be dealt with, as far as possible, on the original record, which shall invariably be sent with the petition, together with the half margin report required under Rule 10. Further special report should be called for only in exceptional circumstances, and when this is done, the special points in regard to which a report is called for should be indicated.

NOTE.—The Board is entitled to exercise its supervision over a subordinate authority whether there is an appeal to the Board or not. At the same time the Board will not exercise its power of revision so as to render nugatory the provisions of the rules in regard to finality of appeal. When there is an appeal provided for by the rules, that appeal can be made and the Board will exercise its ordinary appellate jurisdiction, and will exercise the jurisdiction in the ordinary manner in which appeals are dealt with. Where there is no appeal provided, the Board will recognize the fact that there is no appeal; and if a case is brought before it by an appeal, where no appeal exists it will refuse to deal with the case in its appellate jurisdiction altogether. If, however, in any way, a case comes before the Board where the order is clearly so wrong as to necessitate interference on the part of the Board in the exercise of their revisional authority, the Board will interfere. The grounds for interference in revision are different from those governing appeals. The mere fact that the appellate or revisional authority may take a different view of the case from that which is taken by the authority appealed against does not justify the former authority in interfering with the latter authority on an appeal where no right of appeal exists. If the order appealed against is not an unreasonable one, or does not, from some impropriety in it, call clearly for interference, no interference ought to take place. The intention of the rule ought to be carefully considered. It should be noted by Heads of Departments under the Board that powers of revision should be exercised by them in the manner laid down in the foregoing instruction.

NOTE 1—These rules do not apply to ministerial officers attached to the Civil Courts nor to officers of the Police Department other than the ministerial officers of that department. The appointment, punishment and removal of the former class of officers are regulated by the provisions of Chapter VI of the Bengal, North-West Province and Assam Civil Courts Act, 1887, while separate rules have been framed for officers of the Police Department other than ministerial officers.

NOTE 3—For definitions of "inferior" and "superior service" see articles 396 and 397 of the Civil Service Regulations (5th edition).

Statement of memorials addressed to the *withheld by the*
during the half-year ending *19 .*

No.	Name and residence of memorialist.	Date of memorial.	Authority addressed.	Subject of memorial.	Rule under which withheld.	Number and date of previous order passed.	REMARKS.
1	2	3	4	5	6	7	8

44.—Office Establishment.

The appointment, promotion, reduction, dismissal, removal and the acceptance of resignation of members of the office establishment in the Forest Department in Bengal rests with Divisional Forest Officers in the case of appointments on Rs. 30 per mensem or less, and in other cases with the Conservator.

45.—Confirmation of Subordinates.

No subordinate officer, whether on probation or officiating, may be allowed to remain unconfirmed in the Forest Department after having completed a term of two years' service in any capacity. Divisional Officers will report on any probationer serving in their Division as soon as his service reaches six months as to whether (1) his services should be retained, (2) he should be allowed an extension of probationary service, or (3) his services should be dispensed with.

Conservator's Circular No 126, dated 19th July 1901.

46.—Limit of Tenure of Appointment (Ministerial Officers).

No ministerial officer holding a responsible position and dealing with accounts and money is to be allowed to hold his appointment uninterruptedly for an indefinite time. After holding it for seven years he must either be transferred to another appointment, either in the same or another office or department, or be required to go on leave for a period of at least three months.

Bengal Government Circular No. 10F., dated 26th August 1889.

47.—Transfer of Subordinates.

(1) Transfer of officials from the permanent to a temporary establishment either in the public interest or in order to give promotion to deserving individuals should not be made.

(2) It is the duty of a Government officer who wishes to transfer his services to a different Government office or department to obtain the consent of the authority which appoints to his existing post before taking up the new employment.

Bengal Government Circular No 26F., dated 21st July 1910.

If he takes up the new employment without such consent, he commits a breach of discipline and is liable to be punished, in the last resource, by dismissal from his former post and subsequent loss of pensionable service. Resignation of his former appointment will not, it should be noted, protect him from this penalty.

In granting or withholding consent to the acceptance by a subordinate of other Government employment, the head of an office or department must consider whether the transfer will be

consistent with the interests of the public service. Permission should not be refused, however, without strong reasons, which should be recorded in writing.

The head of an office or department shall not employ, either temporarily or permanently, an officer whom he knows or has reason to believe to belong to another establishment without the previous consent of the head of the office or department in which he is employed. In the rare cases in which, for reasons which are satisfactory to the new employer, an officer cannot obtain the required consent before taking up the new appointment, the employment may be made conditional on consent being obtained at the earliest opportunity.

The foregoing instructions apply equally to officers on leave, whether with or without allowances. All leave allowances must *ipso facto* cease on the taking up of new employment, other than work of a purely casual nature.

48.—Special Revenue Station Officers in Sundarbans Division.

This is a non-pensionable establishment and consists of 15 appointments, each on Rs. 30 rising by yearly increments of Rs. 2-8 to Rs. 100 a month. The members of this establishment, besides getting privilege leave like members of the permanent staff, will be entitled to furlough and medical leave under the rules of the Civil Service Regulations which apply to permanent officials of a corresponding class. Absence on furlough or on medical leave will count as service for increments. The rate of pay allowable during such absence will be half the pay drawn at the time of departure, or the balance available after providing for the pay of a suitable substitute, whichever is less. These officers will be required to contribute to a Provident Fund at the rate of 12½ per cent. of their pay. The amount to the credit of each officer in the fund will be regarded as a security deposit, which will not, however, necessarily be sequestrated when a man's services are dispensed with. The contribution of Government to the Provident Fund will not exceed compound interest at the rate of 4 per cent. The accounts of this special Provident Fund will be kept by the Accountant-General.

49.—Uniforms.

RULES FOR THE WEARING OF UNIFORMS BY SUBORDINATE FOREST OFFICERS.

Approved in Government Order No. 1737 T.—R., dated 30th September 1910.

1. All native subordinates in the Bengal Forest Service are required to wear a uniform when on duty according to their rank.

2. The uniforms worn shall consist of the following :—

(a) *For Rangers.*

Cap.—Round, khaki coloured cap, with the letter “R” in centre worked in green silk thread with a leaf worked on either side.

Tunic.—Of khaki drill (khaki serge in winter if preferred), with silver thread round the collar and cuffs, and flat, silver-plated buttons with “F. R.”

Riding breeches or knicker bockers.—Of khaki drill. Plain belt with small, silver-plated clasps. Putties or brown leather gaiters should be worn.

(b) *Deputy Rangers.*

Cap.—Round, black cap with letters “D. R.” in white metal.

Tunic.—Khaki drill or khaki serge, with red worsted thread round collar and cuffs, with flat brass buttons with letters “D. R.”

Knicker bockers.—Of khaki drill with putties. Belt—leather with brass clasps.

(c) *Foresters.*

Same as above, but with the letter “F” instead of “D. R.”

(d) *Revenue Station Officers.*

Plain khaki drill suit and trousers, and plain leather belt.

NOTE.—A sun helmet of the pigsticker type covered with green shikar cloth may be worn as a protection against the sun by any of the above establishment as are willing to provide it at their own expense.

(e) *Forest Guards.*

In the plains—khaki cloth pagries with green fringe at either end.

Tunic.—Khaki drill with green worsted thread round collar and cuffs, and letters “F. G.” in white metal on the collar. Plain flat white metal buttons.

Knicker bockers or shorts.—Of khaki drill, or khaki-coloured dhoti and khaki-coloured putties.

Belt.—Of brown leather with Forest Department and name of Division on the badge.

In the hills—khaki serge cap (shape similar to that worn by the Darjeeling Police) with a large green knob on top. In summer a khaki drill tunic, and in winter a khaki serge tunic, knickers or shorts, and khaki-coloured putties.

Arms.—Forest Guards will be supplied with a khukri.

(f) *Orderlies and Office Peons.*

Uniforms similar to that of Forest Guard, but without letters “F. G.” on collar.

(g) Chaukidars; Dalk-wallahs, and Fire Patrols.

Pagri same as that of Forest Guard. Plain khaki drill or cotton jumper and belt. Knicker or dhoti of khaki cloth.

(h) Khalasis on Steam-launches.

Thin blue jumper, pantaloons, and marine caps with name of launch on ribbon.

3. Uniforms will be supplied once annually at the cost of Government to all officials drawing less than Rs. 30 a month. In the hills serge and khaki drill suits will be supplied in alternate years.

4. In order to control the cost of uniforms supplied it is ruled that uniforms will only be supplied once a year in October or November, and the cost should not exceed the following:—

Suits including Buttons.*Deputy Rangers and Foresters.*

			Rs. A.
Khaki serge	...	...	12 0
Khaki drill	7 0

Revenue Station Officers.

(To last two years.)

Khaki drill	6 0
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Forest Guards.

Khaki serge	10 8
Khaki drill	5 8

Fire Patrols.

Khaki cotton	2 0
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Launch Khalasis.

Blue cotton	2 8
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Head Dress, etc.

Deputy Rangers and Foresters	2 0
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Forest Guards, Chaukidars, etc.

Pagries	1 0
Forest Guards' caps	1 8
Belts	1 0
Chapras	1 8
Khukries	...	...	3 0
Putties (when desired)	...	...	1 0

5. Officers on probation and officiating will not be provided with suits at cost of Government. They will be required to appear in khaki-coloured clothes and will be supplied with belts and arms only. Officiating officers may make their own arrangements with officers going on leave.

6. To prevent impersonation of Forest officials all subordinates quitting the service will leave or send their uniforms to the Divisional Office. In the case of uniforms in good condition which are private property endeavours will be made to dispose of them at a fair price to probationers, etc., crediting the same to the owners.

7. All uniforms will be obtained either from the Muir Mills, Cawnpore, or where good tailors are available will be made up of good khaki drill to be purchased from Spinner & Co., Bombay.

50.—Security required from Forest Subordinates.

(1) Rules for taking Security from Subordinate Forest Officers.

[Approved in Government Orders No. 1135, dated 27th February 1896, No. 3711, dated 14th September 1896, No. 4061, dated 27th October 1896, No. 2311 T.—R., dated 25th September 1903, and No. 988 T.—R., dated 17th July 1916.]

The following rules relating to the taking of security from officers of the Subordinate Forest Service, that is to say, Rangers, Foresters, Guards, and other subordinates, clerks and peons, are prescribed in supersession of previous orders on the subject. They apply to all officers, whether holding permanent or officiating appointments:—

1. Every officer through whose hands public money passes is to furnish security. The scale at which security is to be taken from Head Clerks of Forest Divisions, Forest Rangers, and Foresters is given below:—

Head Clerks of Forest Divisions not less than Rs. 500 ordinarily and Rs. 1,000 in special cases, with the approval of the Conservator.

Forest Rangers, Rs. 1,000, and, when in charge of revenue stations, Rs. 2,000.

Foresters, Rs. 500, and, when in charge of revenue stations, Rs. 1,000. Provided that this rule does not apply to forest guards or office peons whose case is covered by the next following rule.

2. Forest guards and office peons may (at the discretion of the Divisional Forest Officer under whom they are employed) be required to furnish security in the form of Post Office Savings Bank deposits to the amount of Rs. 50 in each case, in a single payment, or by monthly deduction from pay of not less than one rupee, till the amount of fifty rupees has been completed.

3. All officers who have to furnish security in excess of Rs. 500 shall give it in the form of Government promissory notes, or in cash. If it is given in cash, the sum will be invested in as many Government promissory notes as it will purchase, the balance,

if any, being placed in the Savings Bank as a security deposit (Government Order No. 4061, dated 27th October 1896).

4. Officers who have to give security of Rs. 500 and under, shall give it in the form of Post Office Savings Bank deposits.

5. If an officer is unable to furnish the full amount of security due from him in a single payment, he may, at the discretion of the Conservator, be permitted to pay it by monthly instalments of not less than one-fourth of his pay.

6. House property may in no case be accepted as security.

7. No officer appointed after the date of these rules to any post requiring security will be permitted to furnish it in the form of landed property.

8. Officers who already gave security in landed property will be required to set apart 25 per cent. of their salaries in order to provide security in the form of promissory notes or Savings Bank deposits. The security given by them in landed property will remain in force until the requisite amount has been made up by deductions from their pay.

9. The form of security bond* annexed to these rules is prescribed for treasurers. This form is also to be taken as a model in other cases in which security is required from officers having charge of public money. In such cases the nature of the office may be such as to call for modification in the working of the form, but it is important that there should be as little difference as possible in the nature of the obligation of the signatories to the bond, and the interest of Government must, in every instance, be fully secured.

* The form is not reproduced in this Manual, as it is a standard form (*Adopted Forest Form No 25*)

10. Promissory notes and Savings Bank deposits lodged as security shall not be returned until after six months from the date of vacation of the office, but security bonds should be retained permanently, or until it is certain that there is no necessity for keeping them longer.

11. Public securities lodged with Government officers as a guarantee for the due performance of official duties are to be endorsed over and remitted to the "Comptroller-General, the Accountant-General, Bengal, or the Comptroller, Post Office, as the case may be, as laid down in the Resolution of the Government of India, Department of Finance and Commerce, No. 3880A., dated 6th July 1908."

NOTE—Government promissory notes when deposited for a period not exceeding 12 months, or when deposited for a longer period during which it is not desired to draw interest, shall remain in the name of the depositor and be deposited in the nearest Civil Treasury for safe custody by the officer receiving the deposit.

Bengal Government letter No. 2000, dated the 10th April 1908.

12. Security bonds given on plain paper by ministerial officers are exempted from payment of registration fees.

13. The security bonds of all officers are to be sent for safe custody to the Inspector-General of Registration. They should be sent in registered covers, and copies on plain paper should be retained in the Forest Office for reference, whenever necessary.

14. A register of securities is to be kept in the following form in every Forest Office :—

No.	NAME OF OFFICER.	Designation.	Amount of security furnished.	Nature of security payable.	Value of security furnished.	Date of bond.	Date of despatch to Inspector-General of Registration.	REMARKS.

(2) Method of dealing with Security Deposits.

Amounts received from the Forest subordinates as security deposits should not appear in the divisional cash book at all, but should be placed in the Government Post Office Savings Banks in the name of the Divisional Forest Officer to whom the securities are pledged in accordance with the Savings Banks Rules.

Comptroller and Auditor-General's No. 2377F., dated 14th December 1910, and Accountant-General, Bengal's No. 1491T., dated 7th December 1906.

A 'Register of Security Deposits, distinct from and outside the regular accounts, should be kept in every Divisional Office. In this register should be posted all deposits in the Savings Banks and all withdrawals therefrom for the purchase of Government securities in favour of the parties concerned, as well as the amounts remitted to Comptroller-General and balances received back from him after purchase of securities.

The balances as shown in the pass books, exclusive of interest, should be verified periodically with those in the Security Deposit Register.

Care should be taken not to post the interest realized on Government securities in the above register.

All transactions connected with the payment of interest on Government promissory notes should appear in the accounts. On receipt of the warrants authorizing payment of interest, the amounts thereof should be entered in the divisional cash-book under the head "Suspense," and payments made to the subordinates to whom the interest is due should be charged to the same head, each such charge being supported by a voucher in the prescribed form.

Comptroller-General's No. 3478, dated the 12th November 1898.

Rules for adjusting Security Deposits payable into the Post Office Savings Bank for Subordinates by Monthly Deductions from Salaries.

1. The Post Office Savings Bank books of all subordinates furnishing security to be kept in the Divisional Forest Office and to be for accounts kept with the Post Office at the head-quarters station (any such accounts at present open with other

Conservator of Forests' Circular No. 101-423, dated 6th May 1911.

Post Offices to be transferred to the Post Office at the head-quarters station).

2. As early as possible in the first week of each month a list showing the sums payable out of salary for the previous month to be deposited in each Savings Bank book to be made out; the Divisional Forest Officer will then draw a Forest cheque in favour of the *Postmaster* (not by name) at the head-quarters station on the local treasury or sub-treasury for the *total* amount shown in the list, the cheque, list, and Savings Bank books to be sent together to the Post Office at the head-quarters station for entry and return to the Forest Office, where the entries in the Savings Bank books will be checked.

Entry to be made in the Divisional cash-book as follows:—

“By paid part pay of permanent subordinate Forest Establishment for (month) 19....., being deduction from salary paid into Post Office Savings Bank as security deposit Rs. ”

The entries in the salary bill books will give the details required. When security is taken from subordinates other than permanent subordinate Forest Establishment, similar but separate entries must be made according to vouchers and different budget sub-heads of expenditure.

Disbursing Officers will be previously instructed to disburse the net amount of salary to each subordinate, and to show in column 4 of Code Form 27, the amount of security deducted as *withheld pay*: ordinarily the full pay of each subordinate will be shown in the Divisional salary bill book, as part will be disbursed by the Divisional Forest Officer (security deposit paid to Post Office Savings Bank), and the balance will be disbursed by the Range Officer or other disburser in the same month, but in case of disburser's accounts not being received in time, the part disbursed by the Divisional Forest Officer will be so shown, and the balance will be shown in column 4 as held over for future payment.

3. When payments have to be made while the Divisional Forest Officer is absent from head-quarters the Savings Bank books can be kept in the custody of the Head Clerk: the Divisional Forest Officer should verify entries in the Savings Bank books made during such absence at his next return to head-quarters.

(3) Government Promissory Notes tendered as Security.

Government promissory notes should not be accepted as security by Government officers unless they have been enfaced for payment of interest at the treasuries in which they are to be deposited. It would also be desirable where there is any doubt about the regularity of endorsements on the note, to require the depositor to obtain a renewal of it in his name.

But the officer who accepts the security, should exercise his discretion, and need not require enfacement in petty cases of temporary deposit, or where the depositor is thoroughly trustworthy

Government of India No 3096A,
dated 30th May 1905
Bengal Government Circular No 18T
—F, dated 10th July 1905.

and substantial, unless he has reason to suspect the authenticity of the promissory note or the depositor's title thereto.

- (1) When deposited for a period not exceeding twelve months the notes shall remain in the name of the depositor and shall not be endorsed by him to any

Government of India Resolution
No 4579A., dated 29th April 1903.

officer of Government.

- (2) The Government officer receiving the deposit will see that the notes stand in the name of the depositor, and that the contract or other document executed by the depositor conveys authority to Government to appropriate or cancel the notes if the contract is not fulfilled.
- (3) After satisfying himself on these points, the Government officer receiving the deposit will lodge the notes for safe custody in the nearest Civil treasury, except in the Presidency towns. In Calcutta, the notes will be deposited with the Comptroller-General, the Accountant-General, Bengal, or the Comptroller, Post Offices, as the case may be, and in Madras and Bombay with the Accountant-General, Madras and Bombay, respectively. The Comptroller-General will issue subsidiary rules regulating the procedure at the treasuries.
- (4) The depositor may draw interest on the notes by tendering receipts in the usual form, countersigned by the officer with whom he deposited the notes.
- (5) When notes are deposited for more than twelve months, and it is not desired to draw interest thereon during the period of deposit, they shall remain in the name of the depositor, and the Government officer receiving them will simply forward them to the Comptroller-General (or the Comptroller, Post Offices, or the Accountant-General, Bengal, Madras, or Bombay, as the case may be) through the Account Officer concerned.
- (6) When the notes are deposited for more than twelve months, and it is desired to draw interest thereon during the period of deposit, they shall be endorsed by the depositor to the Comptroller-General (or the Comptroller, Post Offices, or the Accountant-General, Bengal, Madras or Bombay, as the case may be) and sent to that officer through the Account Officer concerned.

CHAPTER III.

Bengal Companion to the Forest Department Code, 7th edition.

51.—Orders and instructions under the Forest Department Code, 7th edition.

Article in Forest Department Code referred to—	Orders and Instructions.
5(2)	<p>Subdivisions, Ranges and other executive charges will be held in Bengal by officers of the Imperial and Provincial Forest Services (including Probationary Extra Assistant Conservators of Forests), Forest Rangers, Deputy Rangers and Foresters. Beats or protective charges will be held by Deputy Rangers, Foresters or Forest Guards.</p> <p><i>Explanation.</i>—Occasionally ranges have to be entrusted to Foresters (temporarily in the case of important ranges and more permanently in the case of small and unimportant ranges). Occasionally Deputy Rangers are posted to the charge of important beats.</p>
6(iii)	<p>In Bengal "labour" includes all <i>bond fide</i> manual labour (including coolies' mates) employed <i>casually</i> or for <i>short periods</i> on—</p> <ul style="list-style-type: none"> (a) The reaping, collection, fashioning, removal, transport and sale of forest produce. (b) The feed and keep of cattle (including elephants). (c) The construction, maintenance, and transport of tools and plant. (d) The construction and maintenance of communications, buildings (including compounds and their fences), camping grounds, wells, tanks and other means of water-supply.

Article in Forest Department Code referred to—	Orders and Instructions.
	<p>(e) The demarcation, improvement, extension and protection of forests (including, subject to the Conservator's sanction, surveyors and draftsmen employed on a defined piece of work).</p> <p>(f) Tent <i>khalasis</i>, letter carriers and punkah coolies.</p> <p>NOTE 1.—Crews of permanently maintained steamers and boats, house guards and sweepers for permanent buildings and persons entertained for any clerical works are not included under "labour"; and wherever experience shows that posts held under "labour" will probably be required uninterruptedly for periods exceeding three months Divisional Forest Officers should take steps to obtain sanction to such posts on temporary establishment.</p> <p>NOTE 2.—Divisional Officers and the Conservator are personally responsible that "labour" is not retained for a longer period than is actually required.</p> <p>The pay of labour will be charged to the appropriate sub-heads of expenditure as classified in Appendix X, Forest Department Code, 7th edition.</p>
<p>7(ii) (b) 7(ii) (c)</p>	<p>} See statement of powers delegated to Conservator.</p>
<p>9.</p>	<p>It will be the duty of the Conservator to furnish the Superintending Engineer of the Circle with a list of the buildings for which rent should be charged, and with such other information as will enable him to fix the amount payable by the officers concerned.</p> <p>The following extracts from the rules in the Public Works Department Code supplement Article 9, Forest Department Code, 7th edition:—</p> <p>"1019. As a theatre is peculiarly liable to fire, no Government building in which stores or other Government property are kept should be used for theatrical purposes.</p> <p>1050. Insurances of Government buildings are not to be effected.</p> <p>1054. Municipal taxes on Public Works buildings other than military buildings, or buildings occupied as residences, are payable by the department occupying them, and are debitable to that department. In the case of buildings occupied as</p>

Article in Forest
Department
Code referred to—

Orders and Instructions.

residences such taxes should be paid by the tenant during the term of his occupancy if this is the local rule or custom, even though he be entitled to quarters rent-free. If by local rule or custom the tax is chargeable to the owner it will be payable by Government and will be ordinarily adjusted as part of the cost of maintenance.

1060. Public buildings let to private individuals shall not be altered or enlarged at Government expense to suit the tenant, and persons occupying public buildings on rent are prohibited from making any alterations, even at their own expense, unless with the express concurrence of the Executive Engineer. The fact of any additions or alterations being made by the tenant confers no right of ownership on him, nor can the fact of the occupant having made additions or alterations at his own expense be considered as giving him any claim to a set-off against, or diminution of, rent. These conditions should be entered in the agreement or lease.

1067. The incumbent, whether permanent or temporary, of an appointment for whose benefit a house has been constructed or purchased or leased by Government will be held responsible for the prescribed rent during his tenure of the appointment.

Local Governments or Administrations may sanction exceptions to this rule in the following cases :—

- (a) when an officer is acting in such an appointment, but is discharging the duties thereof in addition to those of his substantive appointment and already pays rent for a house;
- (b) when he has been promoted or transferred to the appointment in the same station and it is not considered necessary that he should change his residence;
- (c) when a native officer succeeds to, or officiates in, an appointment, the residence appertaining to which has been constructed to suit the requirements of a European.

Article in Forest
Department
Code referred to—

Orders and Instructions.

1068. For the purpose of the following rules Government buildings intended for occupation as residences by Government officials and others will be divided into two classes :—

CLASS I.—Buildings from the rentals of which an adequate return is expected on the capital cost, that is, buildings which will ordinarily be occupied by tenants whose rents will be fixed in accordance with the following Rules I and II.

CLASS II.—Buildings from the rentals of which an adequate return on the capital cost is not expected, that is, buildings which will ordinarily be occupied by officials who are entitled to accommodation rent-free, or at reduced rents, the amounts of which are determined otherwise than in accordance with the following Rules I and II."

NOTE.—The fact that a building of Class I is occasionally occupied by a tenant who is entitled to accommodation rent-free, or at reduced rents, will not justify its removal from Class I to Class II, and, *vice versa*, a building in Class II should not be transferred to Class I whenever it is occupied by a tenant who may be required to pay rent in accordance with the following Rules I and II. Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will ordinarily be rented. Transfers should be made only under the orders of the Local Government and should have effect in all cases from the commencement of a financial year.

Basis of assessment for buildings in Class I.

I.—The rent for each building in Class I will be fixed by the Local Government or Administration subject to the following conditions :—

(a) The aggregate of the full annual rentals fixed for all buildings in this class shall not be less than a sum which will cover interest at $3\frac{1}{2}$ per cent. on the capital cost of the buildings which belong to Government, *plus* the estimated average annual charges for maintenance and repairs, with which should be included the amounts annually payable to the lessors of all buildings held on lease.

(b) The rent charged for any building occupied by a Government official shall not exceed

Article in Forest
Department
Code referred to—

Orders and Instructions.

- 10 per cent. on the salary and local allowance of the officer in actual occupation.
- (c) For the purpose of this rule the capital cost of a building shall, unless specially reduced under clause (g), be taken as the cost of the building and its site, without addition of any percentages on account of Establishment or Tools and Plant. If the house was constructed on land purchased by Government, the value of the site will be the price paid for it by Government, if this can be ascertained; if not, it will be the value at the time that these rules are first applied. If the house was built on land the property of Government, the actual outlay incurred by the State on such land should be included in the capital cost of the building, for the purpose of assessing rent; but if no such outlay has been incurred the value of the site should not be included in the capital cost of the building.
- (d) In the case of houses purchased by Government, the capital cost will be the price actually paid for the property, together with the amount of the works outlay incurred by Government in altering, restoring or improving the building. When there is no record of the actual price paid by Government for any building, its present value should be estimated by the Executive Engineer of the division and approved by the Superintending Engineer, and this estimate should be taken as the capital cost.
- (e) The average annual cost of maintenance and repairs will consist of two parts, special and ordinary charges.
- (i) Special charges will be those incurred in the renewal of floors or roofs, or on other special repairs or replacements occurring at long intervals. Provision for such charges should be made in the form

Article in Forest
Department
Code referred to—

Orders and Instructions.

of a percentage on the capital cost of each building, which will vary for different classes of buildings, and will, in the first instance, be fixed for each class by the Chief Engineer.

NOTE.—The cost of replacements or additions which really represent an increase in the value of a building will, to the extent of such increase, be chargeable to the capital cost of the building, the balance only being chargeable to special repairs.

- (ii) Ordinary charges will include the cost of ordinary annual repairs, together with a proportional share of the expenditure that may be required quadrennially or at other short intervals. The amount of these charges will be estimated by the Executive Engineer of the division and approved by the Superintending Engineer. In the case of houses held on lease, the ordinary charges will also include the amounts payable annually to the lessors, and in the case of houses in respect of which Government is liable to pay municipal taxes assessable on owners, the amount of such taxes. Municipal taxes which by local rule or custom are levied on the occupant will be payable by the occupant under paragraph 1054, in addition to the rent payable to Government under these rules.

In estimating the average annual charges for maintenance, no percentages will be added on account of Establishment or Tools and Plant.

NOTE.—The estimated annual cost of maintenance of buildings will be subject to reconsideration when necessary.

- (f) When a building is occupied partly as a residence and partly as an office for which no rent is paid, the capital value of the portion occupied as a residence should be

Article in Forest Department Code referred to—	Orders and Instructions.
	<p>separately estimated, for the purpose of this rule. The cost of maintenance of the residential portion should also be separately estimated and accounted for.</p> <p>(g) When the capital cost of a building, as defined in clauses (c) and (d), is in the opinion of the Local Government greatly in excess of its real value, so as to involve the assessment of a rental far above the value of the accommodation provided, application may be made to the Government of India for sanction to write off a portion of the capital cost. When such applications are submitted, they should be accompanied by a statement giving the information required by Rule VII and the reason for the excessive cost should, as far as possible, be explained.</p> <p>(h) Renewals of a building necessitated by the occurrence of fire, flood, earthquake, or other calamity will be chargeable to the capital cost, but on completion the Local Government or Administration should decide what amount should be written off the original capital cost, and report the decision and the reasons for it to the Government of India.</p> <p style="text-align: center;">* * * * *</p> <p>II.—Local Governments are authorised to sanction a reduction or remission of the rents otherwise chargeable under Rule I.</p> <p>(a) When a building in Class I is occupied by an official who under a special or general order of the Government of India is entitled to accommodation rent-free, or at rents assessed otherwise than as provided in Rule I, the rent of the building may be remitted or reduced to the amount prescribed by rule for the official concerned, as the case may be.</p>

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Department
Code referred to—

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(b) Remissions of rents due for the occupation of Government building may be sanctioned when the buildings is rendered uninhabitable by reason of extensive repairs being in progress, or from any other cause, provided that if the occupier finds that the house has become uninhabitable from any cause, he shall at once report the matter to the Executive Engineer in charge of the building, who will immediately inspect it and forward a report on the subject to the Superintending Engineer, who will take such steps in the matter as he considers necessary, reporting his action to the Local Government who will then decide whether remission of rent is to be allowed, and, if so, whether partial or total. No remission of rent can be allowed for any period anterior to the date on which the occupier reported to the Executive Engineer that the house was uninhabitable, whether he left it before then or not.

(c) At stations where, owing to excess of accommodation or to other special circumstances, rents must unavoidably be assessed with reference solely to prevailing rates, special assessments may be made by the Local Government, except in the case of buildings which have been constructed, purchased or leased as residences for officers holding particular appointments, and which are occupied by the incumbents of such appointments. In the case of such buildings reduced assessments can be made only with the sanction of the Government of India, as provided in Rule I (g).

III.—No officers of Government are allowed residences, free of rent, unless under the sanction of some general regulation or order of Government.

IV.—In the case of Government servants drawing not more than Rs. 100 a month, who, for the convenience of their work, are practically compelled

Article in Forest
Department
Code referred to—

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to occupy certain houses, Local Governments and Administrations are authorized to determine the rents to be paid, subject to the following restrictions:—

- (a) When the salaries drawn do not exceed Rs. 50 a month, any rent considered suitable may be charged, or rent may be entirely remitted, according to the circumstances of each case.
- (b) When the salaries exceed Rs. 50, but do not exceed Rs. 100, a month and where rents are not already charged under any special rule of the Government of India any rent considered suitable may be charged, subject to a minimum of 5 per cent. on the salary and local allowance of the occupant of the house, provided that the amount charged shall not exceed the rental of the building occupied, if assessed in accordance with rules I and II.

NOTE.—Forest subordinates, including Forest ministerial officers, in receipt of salaries not exceeding Rs. 50 a month are exempted from payment of rent for their occupation of Government buildings in which they are obliged to live for the convenience of their work.

Government Order No 1003,
dated the 24th February
1905.

India No. 686
80-3 F., dated
the 23rd May 1905.

The above concession is extended to
Rangers of all grades.

Government Order
No. 2104T.—R., dated the
4th August 1905, as amended
by Government Order
No. 9082, dated 14th September
1914.

In the case of clerks drawing Rs. 100 and
below but not less than Rs. 50 a month rents
are limited to 5 per cent. of their pay.

VI.—Local Governments must, irrespective of the fund from which the cost of the building was met, obtain the special sanction of the Government of India if they desire to assess, reduce, or remit the rent of a Government building otherwise than in accordance with the foregoing rules.

VII.—All applications for sanction to reduce the rents of Government buildings occupied as residences, below the amounts which should be charged under these rules must be accompanied by a

tabular form in which will be shown the under-mentioned particulars :—

- (1) Value of building and site.
- (2) Average annual charges for maintenance, (i) Special and (ii) Ordinary.
- (3) Rent according to rules.
- (4) Proportion of total area occupied by office (if any).
- (5) Deduction on account of office rent (if any).
- (6) Rent that should be paid by occupant.
- (7) Rent that is proposed.
- (8) Average salary of occupant.
- (9) Market-rate for similar accommodation in the same station (to be given as far as practicable).
- (10) Average rent chargeable under these rules for other Government buildings, with, as nearly as may be, similar accommodation (to be given as far as practicable).

VIII.—In all cases in which it is proposed to exempt an officer from the payment of rent, the under-mentioned particulars should invariably accompany the application :—

- (a) Actual or estimated value of the house and site.
- (b) Rent chargeable under the rules.
- (c) Salary (including allowances) of officials recommended for the grant of free quarters.
- (d) Date from which it is proposed to grant the privilege of free quarters.
- (e) Specific grounds on which the concession is recommended.

* * * * *

XII.—The practice of allowing public officers and others to occupy Government buildings rent-free, on condition of keeping them in repair, is prohibited. A rent fixed with reference to the value of the property shall in all cases be demanded and the repairs shall be made by the agency of the department.

	<p>XIII.—When any Government building is, under proper authority, let to a private person, rent shall be regularly recovered for the same at the rates prevailing in the locality for similar accommodation belonging to private owners; but, without the special permission of the Local Government, the rents charged for the buildings thus let in any station shall not be less than would result from the application to them of Rule I (a).</p> <p>1069. When private buildings are under proper authority hired for the accommodation of Government officials, the charge for rent shall be subject to the maximum laid down in paragraph 1068. Rule 1 (b)."</p>
17	See statements of powers delegated to Conservator and to Divisional Forest Officers.
29	<p>It is the duty of the Conservator of Forests in Bengal to make frequent tours of inspection and to visit once a year as many of the forests under his control as possible. During these tours the following points should receive particular attention, and, if necessary, be specially reported on to the Local Government :—</p> <ol style="list-style-type: none"> (1) <i>Surveys and Settlements</i> made or in progress and their cost, extent to which they are still required; nature and adequacy of the maps and settlement records prepared; results of working under the settlements in force. (2) <i>Working-Plans</i> already made or in progress and their cost, extent to which plans are still required; results of working of plans in force. (3) <i>Forest Boundaries</i>, their nature and state of repair, demarcation work in progress and its cost, demarcation work still to be done. (4) <i>Roads, Buildings, and other similar works</i> in existence or under construction, their cost, state of repair; new roads, buildings, or other works required.

Article in Forest Department Code referred to—	Orders and Instructions.
	<p>(5) <i>Executive and Protective Staff</i>, efficiency, state of discipline, etc.</p> <p>(6) <i>Condition of the Forests</i>, the methods of treatment employed; natural reproduction, causes which interfere with it, etc.</p> <p>(7) <i>Protection of the Forests from injury</i> by man, by cattle, by fires, etc.; breaches of the Forest rules, their frequency and causes.</p> <p>(8) <i>Works of reproduction and Cultural Improvements</i>, extent, condition, and cost of plantations made, condition of nurseries; new sowings or plantings required; thinnings, creeper-cutting, etc., extent to which carried on and required.</p> <p>(9) <i>Method of Working and Management in force</i>, advantages or otherwise of these methods, expenditure incurred on them; outturn of the forests, and financial results.</p> <p>(10) <i>Timber Depôts</i>, their situation and adequacy, condition in which kept; state of the records kept up in connection with them, etc.</p> <p>The Conservator should further see that all money transactions are conducted in accordance with the rules in force; and he should examine the cost of current works, as well as of those which have been spread over several years. He should also ascertain that the Divisional Officer and other members of the Controlling Staff are conversant with their duties, that discipline is maintained, and that work is properly supervised.</p>
33.	See statement of powers delegated to Conservator and to Divisional Forest Officers.
37.	See statements of powers delegated to Conservator and to Divisional Forest Officers.
40.	Bengali is the "principal" language for the purpose of Article 40, Forest Department Code, (7th edition), in the <i>Sundarbans</i> , <i>Chittagong</i> and <i>Chittagong Hill Tracts</i> Divisions and Hindustani in the <i>Darjeeling</i> , <i>Kurseong</i> , <i>Kalimpong</i> <i>Jalpaiguri</i> , and <i>Buxa</i> Divisions.

Article in Forest
Department
Code referred to—

Orders and Instructions.

41. The following rules have been promulgated by the Government of Bengal, under Article 41 of the Forest Department Code, 7th edition :—
1. The examination will be conducted under the direction and control of the Central Examination Committee, Calcutta, at the several local centres, as provided for in the departmental examination rules. Special papers will, however, be prepared for Forest Officers in which technical judicial terms will be avoided, and such terms substituted as bear directly on forest work.
 2. A Forest Officer passing the above examinations will be considered to have fulfilled the conditions as regards examinations in languages laid down in Article 40 of the Forest Department Code, for the purpose of promotion to the higher grades. The examinations passed by Forest Officers in Hindustani in other provinces or in Bengal, previous to the issue of these orders, will, however, hold good for the purposes of promotion.
 3. For the purposes of the departmental examinations of Forest Officers, "Bengali" and "Hindustani" will be regarded as "principal" languages in the Bengal Presidency. The following statement shows the language held to be "principal" in each Forest Division :—

Forest Division	Principal language
1. Sundarbans
2. Chittagong
3. Chittagong Hill Tracts
4. Darjeeling
5. Kurseong
6. Kalimpong
7. Jalpaiguri
8. Buxa
- } Bengali.
- } Hindustani.
4. Forest Officers desiring to qualify for rewards under Article 43 of the Forest Department Code will be allowed to present themselves for examination by both the Lower and Higher Standards at the same time with the permission of the Conservator of Forests: an officer who passes in either of the papers will be held to have qualified for the Lower Standard, but passing marks must be obtained in both sets of papers to qualify for the Higher Standard.

Article in Forest
Department
Code referred to—

Orders and Instructions.

5. Candidates in the language examination will be expected to possess a fair degree of facility in reading, and a thorough colloquial knowledge of the language.
6. The following are the prescribed tests for the two grades of examination. There will be no prescribed text-books:—

THE HIGHER STANDARD.

(a) A written translation from the vernacular into English.

The paper will contain passages from an unseen official document.

(b) *viva voce* examination in vernacular—

(i) The candidate will be tested in conversation with several Indians of various classes in such a manner as to satisfy the local committee of his power of making himself understood by them, and of explaining himself with clearness and sufficient propriety in the vernacular in an argument or topic of some difficulty.

(ii) The examinee will be called upon to read with fair fluency, and explain in English to the examiners, papers written by different persons in a plain running hand.

The maximum and pass marks assigned to each branch of the examination and the time allowed for the papers are subjoined:—

Subjects of examination.	Maximum marks.	Pass marks.	Time.
1	2	3	4
1. Translation from vernacular.	20	10	H. M. 2 0
2. <i>Viva voce</i> examination, Part (I).	20	10	} 0 15
3. <i>Viva voce</i> examination, Part (II).	10	5	

Article in Forest Department Code referred to—	Orders and Instructions.			
	<p style="text-align: center;">THE LOWER STANDARD.</p> <p>The test shall be the same as above, but the papers shall be less difficult. The proportion of marks to be obtained in order to pass and the time allowed for the papers shall be the same as for the Higher Standard above described. The principal object of this examination shall be to test the proficiency for practical purposes of the examinee in the vernacular in which he is examined.</p> <p>The script prescribed for the Hindustani examination in both standards is Deva-Nagri.</p> <p>7. No Indian officer (these rules notwithstanding) shall be liable to examination in a language which is his own vernacular. The Conservator, in submitting the lists of intending examinees, will consider each case, and on satisfying himself may exempt the candidate from examination in such language, reporting his reason for doing so to Government.</p> <p>8. The examination in the Land Revenue Systems of Bengal, in Forest Law and in Forest Procedure and Accounts will be written. One paper containing not less than twelve questions will be set in each subject by the Central Examination Committee in communication with the Conservator of Forests, Bengal. The maximum and the pass marks and the time allowed in each subject are subjoined :—</p>			
	Subjects of examination.	Maximum marks.	Pass marks.	Time allowed.
	1	2	3	4
	Land Revenue Systems of Bengal (without books). Forest Law (without books). Forest Procedure and Accounts (with books).	200 200 200	120 120 120	Hours. 3 3 3

Article in Forest
Department
Code referred to—

Orders and Instructions.

No oral examinations are held.

A total of 120 marks in any paper will entitle the examinee to a certificate of having passed in that subject.

The written examination in Land Revenue will comprise not less than six questions on the laws and subjects discussed in Baden Powell's "Short Account of the Land Revenue and its Administration in British India," and officers presenting themselves for examination should be acquainted generally with the contents of the work, and are expected to have acquired a detailed knowledge of them so far as they relate to this province. Officers will also be expected to have an up-to-date knowledge of Revenue Administration in Bengal which may not be obtainable from Baden Powell's small text-book prescribed, but questions which deal with matters not discussed in the text-book will be restricted to subjects in Land Revenue having a practical relation to the work of Forest officers.

The questions in the examination in Forest Law will be based on the Forest Act rules made in Bengal under the Forest Act and the Manual* of Forest Law compiled for the use of students at the Imperial Forest College, Dehra Dun.

The examination in Procedure and Accounts will embrace the Forest Code, the Bengal Forest Manual, the Civil Service Regulations, and the Civil Account Code.

*(NOTE.—the latest edition of the Manual is entitled "Explanatory Notes on Forest Law.")

9. The Central Examination Committee, after perusing the report of the local committee and the answer papers with the assistance of the examiners who set the papers, will report to Government the names of such officers as in their opinion have passed.

10. The above rules will also apply to Forest Rangers who are permitted at their option (but subject to the sanction of the Conservator) to appear at the examination mentioned in Article 40 of the Forest Department Code.

Article in Forest Department Code referred to—	Orders and Instructions.
	<p>11. The following are the rules for the grant of rewards to officers of the Forest Department of the rank of Extra Assistant Conservator and upwards for passing examinations in the following optional languages of frontier tribes, viz. :—</p> <ul style="list-style-type: none"> (i) Tibetan, Sikkimese Bhutia, Bhutanese Bhutia. (ii) Lepcha. (iii) Nepalese Paharia or Khaskura. <p>The tests which a candidate must undergo are as follows :—</p> <ul style="list-style-type: none"> (a) He must be able to converse freely with the people of the tribe in whose vernacular he may wish to qualify, to understand, and to make himself understood by them. (b) He must write down sentences spoken in the tribal language by one of the tribe or a conversation held between two of them, and must explain the sentences or the conversation correctly in English. (c) He must without assistance translate from English or his mother tongue into the tribal language sentences not of a more difficult nature than those described in clause (b). The translation must be substantially correct, and intelligible to a native in whose language it is written. <p><i>N.B.</i>—The writing prescribed in clauses (b) and (c) must be in the character of the tribal language. If the language has no written character of its own, the English, Bengali or Hindi character should be used.</p> <ul style="list-style-type: none"> (d) He must transliterate and translate (into English) a paper in the current written (not printed) form of character of the language. (This test will be enforced only in the cases of those languages which have written characters of their own). <p>There will be a second examination in the Tibetan language. This examination will consist of—</p> <ul style="list-style-type: none"> (1) a much severer conversational test than in clause (a) above; (2) writing letters in Tibetan; (3) translating Tibetan letters.

Article in Forest Department Code referred to—	Orders and Instructions.
	<p>In order to qualify for the prescribed reward, an examinee must obtain not less than half the marks allotted to each branch of the examination and two-thirds of the aggregate number.</p> <p>The Commissioner conducting the examination will report to Government the names of officers declared by the examining committee to have passed the prescribed standard for the grant of reward.</p> <p>A reward of Rs. 1,000 will be granted to any officer to whom the present rules apply who passes in any such language according to the above tests.</p> <p>Provided that no reward will be given—</p> <ol style="list-style-type: none"> (1) to any officer for proficiency in a second language of the same group; (2) to an Indian officer for passing an examination in any language with which from his birth or education he is naturally familiar, or which is closely allied to his vernacular language.
47 (i)	<p>The "Annual Plan of operations" in Bengal will be framed for the "Forest" year and will be submitted by Divisional Forest Officers through the District Officer not later than the 1st September in the preceding year.</p>
18.	<p>Before a working-plan is submitted to the Conservator of Forests, Bengal, for transmission to the Inspector-General of Forests to the Government of India, the Forest Officer who prepares it must invariably show it in draft to the Collector or Deputy Commissioner of the district concerned with a view to allow him an opportunity of recording his opinion on it and offering his advice.</p> <p><small>Bengal Government letter No. 1817E.—R., dated 13th June 1899</small></p>
53 (ii)	<p>See statement of powers delegated to Conservator.</p>

Article in Forest Department Code referred to—	Orders and Instructions.
54 (iv)	The maps showing the results of fire protection will be prepared in the manner indicated by the Inspector-General of Forests' Circular No. 5, dated 14th July 1887.
58 (ii)	See statements of powers delegated to Conservator and to Divisional Forest Officers.
61 (ii)	See statement of powers delegated to Divisional Forest Officers.
62 (i)	See statement of powers delegated to Divisional Forest Officers.
63	See statements of powers delegated to Conservator and to Divisional Forest Officers.
66	See statement of powers delegated to Divisional Forest Officers.
67	<p>"<i>Ordinary</i>" expenditure comprises the cost of all operations which are necessary :—</p> <p>(a) to produce revenue (<i>e.g.</i>, cost of timber operations),</p> <p>(b) for the <i>maintenance</i> of the forest property (<i>e.g.</i>, keep and feed of cattle); ordinary repairs to tools, furniture, roads, bridges, buildings, wells, tanks, boundaries; surveys; working-plans; maintenance of plantations provided for by a working-plan and cultural operations; fire-protection; climber cutting; cleanings; law charges (except pleaders' fees which are regulated by Article 66 of the Forest Department Code, 7th edition); uniforms (when prescribed).</p> <p>"<i>Extraordinary</i>" expenditure comprises charges of a <i>capital</i> nature which do not recur annually.</p>

Article in Forest Department Code referred to—	Orders and Instructions.																										
68	See statement of powers delegated to Divisional Forest Officers.																										
69 (iii)	See statement of powers delegated to Conservator.																										
69 (iv)	See statement of powers delegated to Divisional Forest Officers.																										
73	<p>The annual budget estimates for the Forest Department in the Bengal Presidency will be prepared by the Conservator in the following form :—</p> <table><tr><th rowspan="2">Budget heads.</th><th rowspan="2">Actuals, 1913-14.</th><th rowspan="2">Budget estimate, 1914-15.</th><th rowspan="2">Revised estimate, 1914-15.</th><th rowspan="2">Proposed budget estimate, 1915-16.</th><th colspan="2">Variations between sanctioned Budget, 1914-15, and Proposed Budget 1915-16.</th><th rowspan="2">Explanatory remarks.</th></tr><tr><th>Increase</th><th>Decrease.</th></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> <p>The estimates should be prepared generally on the lines indicated in Chapter 10 of the Civil Account Code, Volume I, and important variations between the estimates proposed for the year of budget and those sanctioned for the previous year explained in the last column. The explanatory note should deal with the revised estimates of the current year, explaining the figures proposed against each head, comparing the actuals recorded to date with those of previous years, and justifying the proposed figures by these and any other known facts, particularly in those cases where the figures depart to any considerable extent from the sanctioned estimate for the year. The explanatory note should also contain a justification in detail of the proposed revenue and expenditure for the ensuing year, taking up each head of the estimate sanctioned. When the proposed</p>	Budget heads.	Actuals, 1913-14.	Budget estimate, 1914-15.	Revised estimate, 1914-15.	Proposed budget estimate, 1915-16.	Variations between sanctioned Budget, 1914-15, and Proposed Budget 1915-16.		Explanatory remarks.	Increase	Decrease.	1	2	3	4	5	6	7	8								
Budget heads.	Actuals, 1913-14.						Budget estimate, 1914-15.	Revised estimate, 1914-15.		Proposed budget estimate, 1915-16.	Variations between sanctioned Budget, 1914-15, and Proposed Budget 1915-16.		Explanatory remarks.														
		Increase	Decrease.																								
1	2	3	4	5	6	7	8																				

[illegible]

Article in Forest
Department
Code referred to—

Orders and Instructions.

Divisional Forest Budget Estimates.

The following rules should be observed by Divisional Forest Officers when preparing Budget Estimates:—

1. The Revised Estimates should be kept quite separate from Budget Estimate so that they can be dealt with separately in Conservator's office.
Conservator's Circular No. 188 of 1st October 1910
2. Revised estimates should be prepared according to the following example —

Revised Estimates for 1910-1911.

The following columns should be filled in:—

Budget subhead.	Actuals, 1-09-1910.	Sanctioned estimate 1910-1911.	Revised estimate, 1910-1911.	Actuals of first five months, 1910-1911.
1	2	3	4	5

3. Column 4 should not ordinarily differ from column 3 under any Budget subhead, and when this is the case no further explanation is required. If the allotments originally proposed in the Budget Estimate for any projects have been materially altered, the revised allotment for each project should be entered in the explanatory note accompanying the statement of Revised Estimates.
4. When column 4 exceeds column 3 under any subhead the reason of the excess should be clearly explained under this subhead in the attached note, and if a transfer is proposed from another subhead the details of reduction may be entered under that subhead.
5. The greater part of expenditure B is made out for the whole Circle in the Conservator's office, and

Article in Forest
Department
Code referred to—

Orders and Instructions.

- a Divisional Officer is not justified in transferring amounts allotted in his division from B to A in his Revised Estimate without previous sanction.
6. If for any reason an officer anticipates any excess expenditure under any subhead which cannot easily be met from any other subhead in his division, he should apply for an extra grant to meet this expenditure.

Budget Estimate.

The Budget figures for the succeeding year should be kept separate from the Revised figures. The following statement should accompany the Budget Estimates :—

(a)

Budget subhead.	Actuals 1909-1909	Actuals, 1902-19, 0.	Revised Estimate, 1910-1911.	Budget Estimate, 1911-1912.
1	2	3	4	5

All projects will be entered in such detail as will enable the Conservator to check them. A note being made in the case of projects which require Conservator's sanction, that sanction will be subsequently applied for except in cases in which administrative sanction has already been accorded to any project or scheme. Any considerable deviations from the figures in the last three columns will be explained.

- (b) A list of the permanent controlling, subordinate and office establishments.

Articles in Forest Department Code referred to—	Orders and Instructions.			
	(c) (i) Temporary establishment charges :—			
	Budget subhead.	Actual's, 1909-1910.	Revised Estimate, 1910-1911.	Budget Estimate, 1911-1912.
	(ii) Detailed list of Temporary establishment :—			
	Budget subhead.	Description.	Period required.	Rate of pay. Total cost.
75	...	See statement of powers delegated to Conservator.		
77(iii)	...	Forest maps are to be appended to all Provincial Forest Administration Reports once in every five years, with effect from the quinquennial period commencing with the year 1898-99. <i>Inspector-General of Forests' Circular No 1010, dated 9th November 1897.</i>		
Appendix III, Rule 11 (i).		See statement of powers delegated to Conservator.		

52.—Statement of powers delegated to the Conservator of Forests, Bengal, under the Forest Department Code, 7th edition :—

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions if any.
7 (ii) (b) ...	Power to distribute the total amounts sanctioned for the pay of the permanent Subordinate Forest Service and for the pay of the permanent office establishments respectively. Power to transfer appointments in the Subordinate Forest Service between Divisions and appointments in the clerical establishments between Divisional Forest Officers.	Not as regards transfers affecting the Conservator's office.
7 (ii) (c) ...	Power to sanction such temporary establishments as are required from time to time within the limit of the budget allotment on this account.	No appointment other than those noted in the statement below, or on pay exceeding the maximum rate as laid down in that statement for each class of establishment to be created without the sanction of Government.
Subhead.	Designation of Officers on temporary establishment.	
A. I. a ...	Overseer. To include men on pay of more than Rs. 15 to Rs. 40, employed to carry out duties such as if done by the permanent staff are ordinarily performed by Foresters or men of higher rank. Watchers. To include men on pay of Rs. 12 or less, employed as depôt chaukidars or on duties connected with departmental works such as are ordinarily performed by Forest Guards	
A. I. c. ...	Overseers. Pay up to ... Rs. 25	Performing similar duties to Overseers and Watchers charged to A. I. a.
A. II. ...	Watchers. Pay up to ... 8	
	Revenue Station Officer	Pay Rs. 14 to Rs. 30, except in the Sundarbans, where there is a special graded staff.
	Checking Officer,	Pay Rs. 13 to 30, for checking timber extracted from forests by purchasers.

Subhead.	Designations of officers on temporary establishment.				
				Rs.	
	Overseers	...	...	...	Pay Rs. 13 to 40, employed on marking and controlling fellings by purchasers. For work which if performed by a member of the permanent staff would ordinarily be performed by a Forester or man of higher rank.
	Watchers	...	...	...	Pay up to Rs 12, for work in connection with exploitation of a kind which Forest Guards are ordinarily competent to perform.
	For steamers—				
	Engineers.	Maximum pay	...	65	In addition to a provision allowance of annas 2 a day in each case.
	Serangs.	Ditto	...	40	
	Driver.	Ditto	...	35	
	Secani	Ditto	...	20	
	Tindal.	Ditto	...	20	
	Stoker.	Ditto	...	17	
	Lascar.	Ditto	...	10	
	Topaz.	Ditto	...	10	
	Sweeper.	Ditto	...	10	
	For boats—				
	Maujis	...	...	10	In addition to a provision allowance of Rs. 2 a month when employed on patrol work (or in coupes).
	Boatmen	...	...	8	
	For labour on shore, assisting on marking, line clearing, etc.—				
	Coolies	Maximum pay	...	10	
	For building and repairing boats—				
	Carpenters	...	...	30	
A. VI(b)	Mahouts.	Maximum pay	...	16	
	Grass cutters	Ditto	...	11	
A. VII. b.	Chaukidars.	Ditto	...	10	For the care of bungalows. Includes Sweeper, Chaukidars and Mali Chaukidars.
A. VIII. c.	Surveyors.	Ditto	...	30	
A. VIII. d	Enumerators	Ditto	...	10	
A. VIII. e.	Malis.	Ditto	...	8	
A. VIII. f.	Fire watchers	Ditto	...	6	
A. VIII. g	Shikaries	Ditto	...	8	

Subhead.	Designations of officers on temporary establishment.		
		Rs.	
B. I. c. ...	Overscers. Pay Rs. 13 to Rs.	25	Men employed for works ordinarily performed by Foresters.
	Watchers Pay up to ...	12	
	Copyist Rs. 15 to ...	30	Men employed for works ordinarily performed by Forest Guards.
	Orderlies Pay up to Rs. ...	8	
B. III. b. ...	Khala-si. Maximum pay ...	10	Men employed for attendance on Gazetted Officers, Range Officers, etc For charge of tents, etc.
	Dāk runners Ditto ...	9	
B. III. f. ...	Daftaris. Ditto ...	12	For miscellaneous office duties ; their employment is viewed with disfavour Should include men employed to look after offices. Other than Sweepers who are Chaukidars in charge of bungalows. Includes tatti coolies (2) The Conservator is also empowered to vary details (namely, the rates of pay of particular posts, the number of hands employed and the period of employment) of any temporary establishments whether employed for full periods of one year or longer or shorter periods provided the following conditions are observed :— (a) The cost of the temporary establishment shall not be raised beyond the total amount sanctioned for the establishment. (b) Where the authority which sanctioned the employment of the temporary establishment is the Local Government, the pay of no post shall be raised above such a maximum as the Local Government may by general or special order fix for the purpose. (c) In other cases, the pay of no post shall be raised above the limit of sanction enjoyed by the authority which sanctioned the employment of the temporary establishment.
	Chaukidars. Ditto ...	6	
	Sweeper. Ditto ...	5	
	Punkha coolies. Ditto ...	6	

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
17	Power to appoint Rangers and Deputy Rangers.	<p>Subject to qualifications as noted below :—</p> <p>To the class of Forest Ranger :—</p> <ul style="list-style-type: none"> (i) Deputy Rangers of long service and tried ability and probity irrespective of the educational certificates they may hold. (ii) Candidates who have obtained the Honours certificate or the Higher Standard certificate after passing through the two years' Ranger course at the Imperial Forest College, Dehra Dun. (iii) Candidates who have obtained the Lower Standard certificate after passing through the above-mentioned course at the Imperial Forest College and who have rendered thereafter not less than two years' satisfactory service in the class of Deputy Ranger. (iv) Deputy Rangers or Foresters who have passed through the Kurseong Forest School course with credit and who have rendered thereafter not less than two years' satisfactory service in the class of Deputy Ranger. (v) Deputy Rangers or Foresters who have passed through the Kurseong Forest School course successfully and who have rendered thereafter not less than five years' satisfactory service in the class of Deputy Ranger or Forester. <p>NOTE—The provisions of the above rules (iv) and (v) are subject to the condition that no Deputy Ranger who has not passed through the Ranger course at the Imperial Forest College, Dehra Dun, shall be promoted to the class of Forest Ranger with less than a total of eight years' service in the permanent establishment.</p> <p>To the class of Deputy Ranger :—</p> <ul style="list-style-type: none"> (i) Foresters of long service and tried ability and probity irrespective of the educational certificates they may hold. (ii) Candidates who have obtained the Lower Standard certificate after passing through the two years' Ranger course at the Imperial Forest College, Dehra Dun. (iii) Foresters or candidates who have passed through the Kurseong Forest School course with credit. (iv) Foresters or candidates who have passed through the Kurseong Forest School course successfully and who have rendered thereafter three years' satisfactory service in the class of Forester.

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
33	Power to post and to transfer officers of the Imperial and Provincial Forest Services and to transfer members of the Subordinate Forest Service from one division to another.	
37	Power to suspend officers of the Provincial Forest Service. Power to promote from grade to grade to reduce, to remove, to dismiss and to accept the resignation of Deputy Rangers and Rangers. Power to sanction the criminal prosecution of members of the Subordinate Forest Service.	"
53 (ii)	Power to sanction excess and deficit fellings in deviation from prescriptions of a working-plan.	
58 (ii)	Power to make grants of timber or other forest produce for a specific purpose free or at favourable rates.	Up to the value of Rs. 1,000 in any one case and subject to the conditions of Article 58, Forest Department Code, 7th edition.
63	Power to sanction refund of revenue.	Up to Rs. 1,000 in each case.
69 (iii)	Power to purchase elephants.	Up to Rs. 3,000 for each elephant. The establishment of elephants sanctioned to be maintained may not be increased without Government sanction.
75	Power to make transfers of funds from one division to another Power to make reappropriation of funds from one Budget head to another.	Within the total amount sanctioned under each Budget subhead for the Circle. Up to a limit of Rs. 2,000 in each case and provided that no transfer is made :— (1) Of an amount sanctioned for "Ordinary" expenditure to meet "Extraordinary" expenditure or <i>vice versa</i> . (2) Of an amount provided under "Establishment" to meet expenditure under "Contingency and Works" or <i>vice versa</i> .

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
Appendix III, Rule II (i).	Power to sanction temporary advances to Gazetted Forest Officers from the sums at their credit in the General Provident Fund.	Up to a limit of three months' pay and in accordance with the spirit of the rules.

53.—Statement of Powers delegated to Divisional Forest Officers in Bengal under the Forest Department Code, 7th edition.

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
17	Power to appoint Foresters and Forest Guards.	To fill vacancies in these classes in the Forest Division concerned Except in the case of vacancies caused by deputation for training at Kurseong Forest School when orders of the Conservator are required.
33	Power to post and to transfer members of the Subordinate Forest Service.	Within the limits of the Forest Division concerned.
37	Power to suspend members of the Subordinate Forest Service serving in the division concerned. Power to promote Forest Guards and Foresters from grade to grade and to promote Forest Guards to the class of Forester to fill vacancies in the division concerned. Power to accept the resignation and to reduce, remove or dismiss Forest Guards and Foresters serving in the division concerned. Power to punish members of the Subordinate Forest Service serving in the division concerned by fine to the extent of one month's pay.	Except in the case of vacancies caused by deputation for training at Kurseong Forest School when orders of the Conservator are required. Fines inflicted on Rangers or Deputy Rangers require previous sanction of the Conservator.
58 (ii)	Power to make grants of timber or other forest produce for a specific purpose free or at favourable rates.	Up to the value of Rs. 250 in any one case and subject to the conditions of Article 58 of the Forest Department Code, 7th edition.

Article under which power is delegated	Nature of power delegated.	Limits and restrictions (if any).
61 (ii)	Power to write off irrecoverable revenue	Up to Rs. 25 in each case.
62 (i)	Power to write off stores	Up to a value of Rs. 250 in each case.
63	Power to sanction refund of revenue ...	Up to Rs. 200 in each case.
66	Power to sanction expenditure on pleaders' fees in criminal prosecution.	Up to Rs. 100 and subject to the rules prescribed in Bengal Government Order No. 186J, dated the 19th January 1916.
68	Power to sanction all usual payments on account of items of "Ordinary" expenditure.	Provided Budget allotments are in no case exceeded
69 (iv)	Power to sanction "Extraordinary" expenditure as indicated in Article 69 (ii) (b) of the Forest Department Code, 7th edition.	Up to Rs. 1,000 in each case.
	Power to purchase stores	Up to a limit of Rs. 250 in each case.

NOTE.—Article 70 of the Forest Department Code, 7th edition, indicates Divisional Forest Officer's power other than as delegated.

CHAPTER IV.

Accounts.

NOTE.—This chapter deals only with account matters not contained in the civil Account Code and the Forest Department Code, 7th edition.

54.—Accounts of Timber and other stock of Stores, Tools and Plant and of Live-stock.

NOTE.—Throughout this article the forms referred to are such as were prescribed under the 6th edition of the Forest Department Code: specimens will be found at the end of the article.

1. (i) The produce of all fellings must appear either in Form No. 5, or No. 10, or No. 12.

(ii) The "gross yield" of a forest is the *total* volume (in cubic feet solid) or quantity of *all* produce felled or cut, whether removed and utilized or not. The "outturn" or net yield comprises such portion of the gross yield as has been or will be utilized.

(iii) The gross yield of all fellings by Government agency must appear in Forms Nos. 5 and 7. Wastage or other unutilizable material will be written off in Forms Nos. 6 and 7. The outturn of illicit fellings shown in Form 17 should be shown in Form 5 when the produce lapses to Government. The outturn of all other fellings must appear in Form No. 10 or No. 12.

2. Under the system of Government working, two classes of depôts will be established—

(i) Forest Depôts.

(ii) Sale Depôts.

It will rest with the Conservator to decide what localities shall be forest depôts* and which sale depôts

3. All timber and forest-produce on reaching a forest depôt will be shown in the Register of Receipts (Form No. 5), and on its despatch or disposal in the Register of Disposal (Form No. 6).

4. In each sale depôt will be kept Registers of Receipts (Form No. 5), in which will be entered all stock as it arrives, and Registers of Disposal (Form No. 6) showing all stock sold or otherwise disposed of. Separate registers will be kept for—

(a) Timber, including drift and waif wood.

(b) Bamboos, fuel, and other forest produce.

5. (i) All logs and scantlings on reaching a sale depôt will be measured and marked. The number, or measurement, or both, as the case may be, of the logs and scantlings must be entered daily in the Register of Receipts as they are taken charge of.

(ii) Logs and scantlings, when sold, will be marked with the sale mark.

6. (i) The following returns will be submitted monthly from each forest and sale depôt to the Divisional Officer :—

Form No. 7.—Receipts and issues of timber and other produce.

Form No. 8.—Sales of timber and other produce, including drift and waif wood.

(ii) A summary will be prepared from the returns submitted in Form No. 7 from each depôt in the division. Each description of produce will be grouped together, and the numbers and quantities will be totalled separately. The receipts and issues of forest depôts will be shown separately from those of sale depôts.

NOTE.—All transactions shown in Form No. 7 necessitating payments should appear in Form No. 60-P, C. A. Code, of the same month and *vice versa*. Should the transaction be shown in Forms Nos. 7 and 60-P, C. A. Code, for different months, a note should be made in the "Remarks" column of the form in which the transaction has been entered showing the months in which the entry appears in the other form. When the entries made in both forms do not tally, the discrepancy should be explained against the entry in Form No. 7.

* In some cases, special plots will be set aside as "forest depôts," in others the areas where the fellings have been made will be considered as "forest depôts."

7. (i) Form No. 8 will show the sales the proceeds of which are credited under Revenue head I. and of so much under head III as is obtained by the sale of drift and waif wood and confiscated forest produce collected by Government agency.

(ii) The entries in this form will consequently comprise all disposals by sale of timber and other produce shown in Form No. 7, the totals for forest depôts and sale depôts being shown separately.

8. From divisions where drift timber operations are of sufficient importance, a return in Form No. 9 will be submitted to the Conservator. All items entered in the column "Transferred to Government Account" will appear in Form No. 5 in the same way as other Government timber.

9. (i) For all timber or other forest produce sold otherwise than from depôt, a permit must be given before any of the aforesaid produce can be removed by the purchaser. This permit or license will be issued under such rules and in such forms as the Local Government may from time to time prescribe. Permit or license forms shall be kept in triplicate in bound books, and bear printed serial numbers and the words "original," "duplicate," and "triplicate." Each permit or license issued shall be filled in by the officer issuing it in the original as well as in the counterfoils, and be provided with a serial annual number. All amounts of produce, as well as of money, shall be written in words as well as in figures.

(ii) In the case of prepaid licenses, the officer issuing the license may receive either cash or a treasury *chalan* as proof of payment. The original license shall be given to the licensee, the duplicate shall be attached to the monthly accounts, and the triplicate be kept by the issuing officer.

(iii) In cases where, under the conditions of the permit, timber is marked with a Government sale-hammer on passing revenue stations, or where forest produce is otherwise allowed to leave the limits of the forests, the officer marking such timber or passing such forest produce shall collect the original licenses, and the purchase certificates which may have been granted on the strength of such licenses, and forward them to the Divisional Officer under whose signature or authority they were issued. They should be pasted into the book of licenses, each against its counterfoil.

(iv) In the case of unpaid licenses, or purchase certificates granted thereunder, the original shall be given to the licensee, and the duplicate be sent to the officer empowered to mark or pass the produce on payment of the revenue due when the payment has been effected, which may be done by cash or treasury *chalan*. The officer receiving it shall at once return the duplicate, entering thereon any purchase certificates which may have been granted on the strength of such license. These should be *pasted* into the license book of the issuing officer, each against its counterfoil. The original should be submitted as a revenue voucher to the accounts of the passing officer.

(v) The books of licenses should be periodically examined by the Divisional Officer, the returned licenses being checked with their counterfoils and with the entries of the amounts realized on their account in the cash book or in the original accounts of the officer who issued the same, and an explanation called for as regards any licenses missing or unduly delayed.

10. The stock at each sale dépôt must be counted periodically at such intervals as the Conservator may direct, the dépôt books being balanced at the time of counting. A special report of each taking of stock must be submitted to the Conservator.

11. (i) A bill book (Form No. 13) must be used for lists of timber and other produce sold from dépôts. On each transaction taking place, the bill may be given to the purchaser, while a copy is forwarded to the Divisional Officer, and the counterfoil will form the dépôt copy.

(ii) A receipt book (Form No. 14) must also be used for receipts of price paid to be given to purchasers.

12. (i) All timber or other produce cut, collected, and removed from the forests by consumers and purchasers will be entered in a monthly statement prepared in Form No. 10.

(ii) Form No. 10 will show the sales the proceeds of which are credited under Revenue head II, arranged and totalled in horizontal lines according to subheads, and so much of the revenue under head III as is obtained by the sale of drift and waif wood and confiscated forest produce collected and removed by consumers or purchasers.

(iii) When leases are granted for certain fixed periods to collect produce, and the revenue is payable in instalments, an estimate should, whenever practicable, be made of the quantity of produce removed, and the total estimated quantity should be shown in Form No. 10 once only, when the last instalment of revenue due is entered in that Form as having been received.

(iv) When the price of the produce entered in column 6 is only partially realized, or not realized at all, the number and date of the Conservator's sanction for deferring realization should be noted in the column provided for this purpose.

NOTE.—Any entry in Form 10, in which the rate differs from the sanctioned schedule of rates should be
 Conservator's Circular No. 39, dated the 24th April 1907. initially by the Divisional Forest Officer in the "Remarks" column to show that the rate has been adopted under his orders.

13. (i) All items of revenue, including those shown in Forms Nos. 8 and 10, which are not fully realized during the month will be entered in detail in Form No. 11 (Outstandings on account of Revenue). The return for March in each year will be accompanied by a brief explanation of the circumstances under which each item of revenue that has been outstanding for twelve months remains unadjusted.

(ii) If any outstanding revenue becomes irrecoverable, sanction should be obtained to its being written off; and when the sanction is received, the amount should be entered in Form No. 11, in red

ink, in the column "Recoveries during the month," a reference being made to the sanction under which the entry is made.

Divisional Forest Officers are authorized to sanction the writing off of irrecoverable revenue up to Rs. 25 in each case and the Conservator is authorized to sanction the writing off of irrecoverable revenue up to Rs. 500 in each case: for amounts exceeding these limits the sanction of the Local Government must be obtained.

(iii) All free grants will be entered in a Register (Form No. 12).

14. (i) A return (Form No. 16) of stores, tools and plant will be submitted to the Conservator by Divisional Officers once a year on the 1st July.

(ii) Stores, tools and plant should ordinarily be classified as follows:—

- (a) Surveying and other instruments.
- (b) Machinery.
- (c) Tools.
- (d) Office and rest-house furniture.
- (e) Tents.
- (f) Building materials, small stores, and house fittings.
- (g) Miscellaneous.

15. (i) In those divisions where Government elephants or other cattle are kept, returns of live stock, together with a statement of the cost of keep and of the work on which they have been employed, will be submitted to the Conservator in such forms and at such times as may be prescribed.

(ii) Returns of elephants should show name, sex, age, height, and condition of the animals.

16. A return (Form No. 17) of forest produce and other property seized and disposed of otherwise than under section 67 of the Indian Forest Act or under corresponding sections in other forest laws during the month, in accordance with the Forest Law or Rules in force, will be submitted monthly by Range Officers to the Divisional Officer. An abstract of these returns, in the same form, will be forwarded monthly by the Divisional Officer to the Conservator.

17. The monthly timber and sale returns received from Divisional Officers will be scrutinised in the Conservator's office and the entries compared with the transactions shown in Form No. 60P., C. A. Code, the opening and closing balances carefully checked, and the Divisional Officers addressed regarding any discrepancies which may be noticed.

18. For ready reference specimens of Forms Nos. 5 to 17, as were prescribed under the 6th edition of the Forest Department Code are here given:—

Depot Register of Receipts of Timber, &c.

[Form No. 5.]

FORM NO. 5.

(See Article 54.)

Forest Department, Bengal, Darjeeling Division.

Register of Receipts in the Ghoom Depot.

Depôt. Number.	Whence received.	How obtained.	Date of Receipt.	Description of Produce.	Marks.	Number or quantity.	MEASUREMENTS.			REMARKS.
							Length.	Girth or scantling.	Cubic feet.	
1	2	3	4	5	6	7	8	9	10	11
158	By transfer from the Darjeeling Depôt.	...	June 1884	Bulk scantlings	F. D. 1884.	217	...	...	526	
159	By conversion in Depôt.	...	"	Posts Scantlings (Various) slabs, ends and pieces.	...	6,306 287 839	...	...	3,153 646 34	
160	From the Ghoom Forests.	Selection fellings.	"	Champ scantling.	...	937	...	...	491	
		Clearances	"	Ditto	...	143	...	...	107	
	Ditto	Dry and fallen wood	"	Logs (various)	...	241	...	...	6,762	
	Ditto	Re-measurement.	"	Ditto	...	...	...	...	...

Form No. 6.]

Depot Register of Disposals of Timber, etc.

FORM No. 6.
(See Article 54.)
Forest Department, Bengal, Darjeeling Division.
Register of disposals from the Darjeeling Depot.

No. of Bill or Pass.	Date.	How disposed of.	Description of Produce.	Depot No. of log, etc.	Marks.	Number or quantity.	MEASUREMENTS.			SELLING RATE.		Amount.	REMARKS.
							Length.	Girth or scantling.	Cubic feet.	At	Per		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
No. 14 of 1884.	4th June	Sold to Executive Engineer, Darjeeling Division.	Oak scantlings.	20	F.D. 1884.	90	20 ft.	12' x 1'	150	Rs. 1	C. ft. 150	Rs. A. P. 0 0	
No. 15 of 1884.	"	Used by Department in demarcating blocks.	Miscellaneous poles.	21	...	100	...	...	...	...	...	...
	"	Transferred to Ghoom Depot	Firewood ...	...	...	100 mds.	...	...	...	...	...	...

FORM NO. 7.

(See Article 51.)

Forest Department, Bengal, Darjeeling Division.

Receipts and Issues of Timber and other Produce in Depôts, during the month of June 1884.

Name of Depôt.	Description of Produce.	ON HAND 1st JUNE 1884.		RECEIVED DURING THE MONTH.		TOTAL.		DISPOSED OF DURING THE MONTH.				BALANCE ON 30th JUNE 1884.		REMARKS.
		No. or quantity.	Cubic feet.	When received.	No. or quantity.	Cubic feet.	No. or quantity.	Cubic feet.	How disposed of.	No. or quantity.	Cubic feet.	No. or quantity.	Cubic feet.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Ghoompahar Compartment No. 24.	Oak trees	...	...	Windfall	1	47	1	47	Sawn into nine scantlings. Loss in conversion.	1	18	...	...
Ditto	Oak scantlings.	...	...	By conversion.	9	18	9	18	Sent to Ghoompahar Sale Depôt.	9	18	...	...
Ghoompahar Sale Depôt.	Ditto	...	...	Kal atop Forest.	9	18	9	18	Sold	9	18	...	...

DARJEELING,

The 5th July 1884.

Deputy Conservator of Forests,
Darjeeling Division.

Receipts and Issues of Timber, etc., in Depôts.

[Form No. 7.]

Form No. 8.]

Sales of Timber, etc., cut and collected by Government Agency.

FORM NO. 8.

[See Article 54]

Forest Department, Bengal, Darjeeling Division.

Sales during the month of June 1884 of Timber and other Produce cut and collected by Government Agency.

Place of sale.	Budget sub-head.	Description of Produce.	No. or quantity.	Cubic feet.	Rate.	Total amount of sale.	Amount actually paid.	Number of logs and pieces, etc., removed.	Number sold, but remaining unremoved.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11
<i>Sold from Sale Depôts.</i>										
Darjeeling Depôt ...	I a	Oak scantling	90	150	Rs. 1 per c. ft.	Rs. A. P. 150 0 0	Rs. A. P. ...	90		
Do. do. ...	I b	Firewood, mds.	600	...	Rs. 25 " o/o	150 0 0	125 0 0	500 mds.	100 mds.	
Ghoompahar do. ...	I b	Charcoal, mds.	200	...	Rs. 1 per md.	200 0 0	200 " 0	200 do		
Do. do. ...	I c	Bamboos	2,500	...	Rs. 2 " o/o	50 0 0	50 0 0	2,500		
Do. do. ...	III	Confiscated rubber, seers.	28	...	Auction	20 9 0	20 0 0	28 seers.		
<i>Sold from Forest Depôts.</i>										
Poobong block ...	I a	Oak log, ...	1	30	8' ans. per c. ft.	40 0 0	...	1		
Do. do. ...	I a	Chestnut logs	14	580	8 do.	280 0 0	280 0 0	14		
TOTAL						890 0 0	675 0 0	Abstract of amount realized.		
ADD—Outstandings due from previous months, as per Form No. 11						100 0 0	100 0 0	I a	380 0 0	
TOTAL						990 0 0	775 0 0	I b	325 0 0	
Deduct—Amount realised during the month						775 0 0	...	I c	50 0 0	
Balance outstanding on 30th June 1884, as per Form No. 11						215 0 0	...	I d	...	
TOTAL ...						775 0 0	...	II	...	
TOTAL ...						215 0 0	...	II	20 0 0	
TOTAL ...						775 0 0	...	TOTAL ...	775 0 0	

DARJEELING,

The 5th July 1884.

Deputy Conservator of Forests,

Darjeeling Division.

Drift Timber Operations.

[Form No. 9.]

FORM NO. 9.

[See Article 54.]

Forest Department, Bengal, Chittagong Division.

Account of Drift Timber Operations during the month of June 1881

Depôt.	Description of Timber.	Balance on 1st June.	Saved during the month.	TOTAL.	Made over to claimants.	Transferred to Government Account.	Balance on 30th June.	REMARKS.
1	2	3	4	5	6	7	8	9
Chittagong ...	Teak logs	10	4	14	...	8	6	...

Form No. 10.] Revenue on Produce removed from Forests by Purchasers.

FORM NO. 10.

[See Article 54.]

Forest Department, Bengal, Darjeeling Division.

Revenue from Timber and other Produce cut, collected and removed from the Forests by Consumers or Purchasers, including Pasture, during the month of June 1884.

Forest Range or Unit.	Forest or locality.	PRODUCE REMOVED.		Rate.	Amount of revenue.	Amount actually realized during the month.	REALIZED UNDER EACH BUDGET SUBHEAD.			Number and date of Conservator's sanction differing realization of full revenue due.	REMARKS.
		Description.	Number or quantity.				Amount.	Subhead.	Amount.		
1	2	3	4	5	6	7	8	9	10	11	
Tukidah ...	Poomong block	Chestnut tree	1	Ra. 20	Ra. A. P.	Ra. A. P.	Ra. A. P.				
Ghoonpahan ...	Poobong do.	Dry oak wood	500 cub. ft.	8 as.	20 0 0	20 0 0	...				
Ditto ...	Do.	Oak trees ...	2	Ra. 20	250 0 0	250 0 0	270 0 0	II a			
			{ 80 loads (about 120 mds.) }	4 as.	40 0 0	...					
Ditto ...	Do.	Dry wood ...			20 0 0	20 0 0	20 0 0	II b			
Ditto ...	Choungtong do.	Ballocks, grazing.		4 as.	120 0 0	120 0 0	120 0 0	II d			
Ditto ...	Poobong ...	Ganes, permits	10	Ra. 6	60 0 0	60 0 0	60 0 0	II e			
		TOTAL			510 0 0	470 0 0	470 0 0				
		Ann—Outstandings due from previous months, as per Form No. 11			10 0 0	...		Abstract of amount realized.			
		TOTAL			520 0 0	470 0 0		Ra. A. P.			
								II a	270 0 0		
								II b	20 0 0		
								II d	120 0 0		
								II e	60 0 0		
								TOTAL	470 0 0		
		Debit—Amount realized during the month			470 0 0						
		Balance outstanding on 30th June 1884, as per Form No. 11			50 0 0						

DARJEELING,
The 5th July 1884.Deputy Conservator of Forests,
Darjeeling Division.

Outstandings on account of Revenue.

[Form No. 11.]

FORM No. 11.

[See Article 54.]

Forest Department, Bengal, Darjeeling Division.

Outstandings on account of Revenue for the month of June 1884.

Names.	Particulars.	Outstanding on 1st June 1884.	Items on which the revenue is not fully realized during the month.	TOTAL.	RECOVERIES DURING THE MONTH.			Balance due to Department on 20th June 1884.	Budget sub-head.	REMARKS.
					No. of items in Cash Book.	Rs.	A. P.			
1	2	3	4	5	6	7	8	9	10	
Executive Engineer, Darjeeling Division. J. Jones, Esq. Road-works Department. Ditto Ram Bux	Oak seedling ...	Rs. A. P.	Rs. A. P.	Rs. A. P.	2	100	0 0	150	0 0	I a
	1 oak log ...	...	40 0 0	40 0 0	...	...	...	40	0 0	I a
	500 maunds fire-wood.	...	150 0 0	150 0 0	3	125	0 0	25	0 0	I b
	2 oak trees ...	...	40 0 0	40 0 0	...	...	...	40	0 0	II a
	1,000 bamboos ...	10 0 0	...	10 0 0	...	...	...	10	0 0	II c
	Cultivation lease for 1883-84, Pooibong.	12 0 0	...	12 0 0	...	...	...	12	0 0	V c
	TOTAL ...	122 0 0	380 0 0	502 0 0	...	225	0 0	277	0 0	...

Second instalment due 1st July 1884.

DARJEELING,
The 5th July 1884.

Deputy Conservator of Forests,
Darjeeling Division.

Form No. 12.]

Register of Free Grants of Forest Produce.

FORM No. 12.

Forest Department, Bengal.

(See Article 34.)

Register of Free Grants of Forest Produce in the Darjeeling Division.

Authority under which granted.	Range.	Locality.	Name of grantee.	Purpose for which granted.	PRODUCE GRANTED.			REMARKS.
					Description.	No. of quantity.	Value.	
1	2	3	4	5	6	7	8	9
Government sanction.	Ghoompahar	Poobong	J. Jones, Esq.	For the construction of a chank-dar's house.	Buk tree ...	1	Rs. A. P. 20 0 0	
	Ditto ...	Ditto ...	24 Mandals	...	Grazing permit for 500 or 600 head of cattle.		60 0 0	
Grazing rules ...	Ditto ...	Ditto ...	Villagers in the vicinity.	...	Sil poles ... Sisal ... Miscellaneous poles. Canes ... Bamboos ...	1,820 960 1,250 36 3,000	320 0 0 270 0 0 150 0 0 14 0 0 30 0 0	Granted in consideration of assistance rendered and labour supplied.

Bill Form for Depot use.

[Form No. 13.]

Bill No. 8
of 1894-95.**FORM No. 13.**

(See Article 54.)

**Forest Department, Bengal,
Darjeeling Division.***List of timber or other produce sold to
J. Jones, Esq., from the Darjeeling
Depdt.*

Depdt. No.	Descrip- tion of timber or produce.	MEASURE- MENTS.			Rate.	Amount.
		L.	G.	C. ft.		
1	2	3	4	5	6	7
...	Firewood	...	...	600	Rs. 25 per cent.	Rs. 150 0 0

DARJEELING DEPOT.
Tth in June 1914.

Forester in charge

Bill No. 8
of 1894-95.**FORM No. 13.**

(See Article 54.)

**Forest Department, Bengal,
Darjeeling Division.***List of timber or other produce sold to
J. Jones, Esq., from the Darjeeling
Depdt.*

Depdt. No.	Descrip- tion of timber or produce.	MEASURE- MENTS.			Rate.	Amount.
		L.	G.	C. ft.		
1	2	3	4	5	6	7
...	Firewood	...	...	600	Rs. 25 per cent.	Rs. 150 0 0

DARJEELING DEPOT.
Tth in June 1914.

Forester in charge

Bill No. 8
of 1894-95.**FORM No. 13.**

(See Article 54.)

**Forest Department, Bengal,
Darjeeling Division.***List of timber or other produce sold to
J. Jones, Esq., from the Darjeeling
Depdt.*

Depdt. No.	Descrip- tion of timber or produce.	MEASURE- MENTS.			Rate.	Amount.
		L.	G.	C. ft.		
1	2	3	4	5	6	7
...	Firewood	...	...	600	Rs. 25 per cent.	Rs. 150 0 0

DARJEELING DEPOT.
Tth in June 1914.

Forester in charge

Form No. 14.]

Receipt for price of timber, etc., sold.

No. 14
of 1884-85.

FORM NO. 14.

(See Article 54.)

Forest Department, Bengal, Darjeeling Division.

Darjeeling Depot.

Received from J. JONES, Esq., the sum of rupees one hundred and twenty-five only, being price of firewood bought by him, as detailed in Bill No. 6 of 1884-85, in part payment.

No. Cub. ft.

Logs at Rs.

Sleepers at Rs.

Rs. A P.

Firewood 500 mds. at Rs. 25 per cent ... 125 0 0

Total ... 125 0 0

Forester in charge of Depot.

DARJEELING,
The 4th June 1884.

No. 14
of 1884-85.

FORM NO. 14.

(See Article 54.)

Forest Department, Bengal, Darjeeling Division.

Darjeeling Depot.

Received from J. JONES, Esq., the sum of rupees one hundred and twenty-five only, being price of firewood bought by him, as detailed in Bill No. 6 of 1884-85, in part payment.

No. Cub. ft.

Logs at Rs.

Sleepers at Rs.

Rs. A P.

Firewood 500 mds. at Rs. 25 per cent ... 125 0 0

Total ... 125 0 0

Forester in charge of Depot.

DARJEELING,
The 4th June 1884.

Original.

FORM No. 15.

(See Article 54.)

Forest Department, Bengal.

Darjeeling Division.

Permit No. 1057.

No. 51 of 1884-85.

Name—Ram Bux.

Residence—Jor Bungalow.

Forest.	Date of expiry of grant.	Descrip- tion of timber or other produce.	Number or quantity.	Rate.	Amount.	REMARKS.
1	2	3	4	5	6	7
Poonong Block.	4th July	Chestnut tree.	1	Rs. 20	Rs. A. P. 20 0 0	

Forester,

Darjeeling Division.

H 2

DARJEELING,

The 4th June 1884.

This form should be printed in triplicate.

FORM No. 15.

(See Article 54.)

Forest Department, Bengal.

Darjeeling Division.

Permit No. 1057.

No. 51 of 1884-85.

Name—Ram Bux.

Residence—Jor Bungalow.

Forest.	Date of expiry of grant.	Descrip- tion of timber or other produce.	Number or quantity.	Rate.	Amount.	REMARKS.
1	2	3	4	5	6	7
Poonong Block.	4th July	Chestnut tree.	1	Rs. 20	Rs. A. P. 20 0 0	

Forester,

Darjeeling Division.

DARJEELING.

The 4th June 1884.

Permits.

[Form No. 15.]

Form No. 16.]

Receipts and Issues of Stores, Tools and Plant, etc.

FORM NO. 16.

(See Article 54.)

Forest Department, Bengal, Darjeeling Division.

Return of Stores, Tools, and Plant on 1st July 1897.

Description.	BALANCE AS PER LAST RETURN.		RECEIPTS SINCE LAST RETURN.			Number or quantity.	ISSUES SINCE LAST RETURN.		BALANCE.						REMARKS.
	Number or quantity.	Value.	Rate.	Value.	Number or quantity.		Total.	Singalia Range.	Gluomphar Range.	Teochal Range.	Tista Range.	Takda Range.	Office.	Total.	
1	2	3	4	5	6	7	8	9							
SURVEYING AND OTHER INSTRUMENTS.			Rs.	Rs. A P.											
Plane tables, with stands.	3	...	...	...	3	...	1	...	...	...	1	...	2	3
Compasses for plane tables.	2	...	...	...	2	...	...	...	...	...	1	...	1	2
Sight-vanes	3	...	...	...	3	...	...	...	...	...	1	...	2	3
Prismatic compass (with stand).	1	...	...	...	1	...	...	...	...	...	...	...	1	1
Gunter's chains	2	...	...	...	2	...	...	...	...	...	1	...	1	2
Mathematical instruments (box).	1	...	...	...	1	...	...	...	...	...	1	...	...	1
Picturing scales (box)	1	...	...	...	1	...	...	...	...	...	...	...	1	1
Parallel ruler, brass	1	...	...	...	1	...	...	...	...	...	...	...	1	1
Tracing glass	1	...	...	...	1	...	...	...	...	...	...	...	1	1
Presser's burers	3	...	...	...	3	...	...	...	...	...	...	...	2	3

Disposal of forest produce and other property seized.

[Form No. 17.]

FORM No. 17.

(See Article 54.)

Forest produce and other property seized and disposed of during the month

To be kept up by Range Officers.

FOREST PRODUCE OR OTHER PROPERTY SEIZED.		Date.	Description.	Locality where stored, or person to whom entrusted.	Property released.	Property made over to third parties.	Property confiscated to Government by order of Court.	Property brought on to Form No. 9 or other Government stock returns.	Date or dates on which action was taken under columns 4, 5, 6 or 7.	Not disposed of during the month.	REMARKS.
1	2	3	4	5	6	7	8	9	10		
(1) 5th April	5 carts 50 sal poles	Goalpara	...	...	5 carts	{ 5 carts 50 sal poles }	...	...	...	...	Court case dated 8th April.
(2) 10th "	10 teak scantlings. 100 maunds 3 catch pans	Removed to depôt.	...	...	...	10 teak scantlings	...	...	...	...	...
(3) 10th "	{ 100 maunds 3 catch pans }	Ditto	3 catch pans.	...	...	100 maunds catch	...	...	...	...	Case No. dated ...
(4) 12th "	{ 100 logs Pyinma. 3 boats }	Kany-in revenue station	...	...	{ 100 logs Pyinma. 3 boats }	100 logs Pyinma. 3 boats	...	...	...	...	Court case dated ...
(5) 20th "	50 teak logs	Shwegyin	...	...	50 teak logs.	...	...	...	...	...	Court case, No. dated ...
(6) 25th "	{ 50 teak squares. 10 carts }	Bawbin forest	...	...	...	...	...	...	...	10 carts	...

* Necessary particulars of items in column 3 will be brought forward in the next month's form and shown, in red ink, in columns 1, 2 and 3.

EXPLANATION OF ENTRIES.
Entry No. 1.—Seized, on 5th April, 5 carts (private property) and 50 sal poles (Government property). Court decides case on 8th April, confiscates the carts to Government, and Forest Officer takes over poles. Carts are brought on to stock account for sale and the poles on to Form No. 6.
Entry No. 2.—Seized, on 10th April, ten teak scantlings (Government property). In respect of which offence is suspected. Offender not known. Scantlings brought direct on to Form No. 6.
Entry No. 3.—One hundred maunds catch and 3 pans seized on 10th April. Pans released under section 70 of the Burma Forest Act, 1902. Catch brought on to Form No. 6.
Entry No. 4.—The first instalment of price has been paid on 100 logs Pyinma, to be brought out and covered by pass. Offender runs past revenue station at night to avoid payment of second instalment. Court orders confiscation of property, which is brought on to stock returns.
Entry No. 5.—Fifty teak logs, without chalan, received on 20th April. Case brought into Court. Property marks prove logs belong to third person, to whom the Court gives the timber.
Entry No. 6.—Fifty teak squares and ten carts, in respect of which an offence is believed to have occurred, seized on 25th April. Case reported to Magistrate, but undiposed of at close of month.

55.—Explanatory Orders relating to Budget and Revised Estimates.

Government of India Resolution
No 2162 Ex, dated the 30th April 1904

(1) It must be remembered that for the increasing of expenditure two conditions must be present *independently*—

- (a) The expenditure must be within the limits of the originally sanctioned Budget estimate, or of some "extra grant" sanctioned by competent authority in addition to the original estimate.
- (b) The expenditure must have been sanctioned, as expenditure by superior authority, unless it is within the sanctioning powers of the expending officer.

Neither of these two conditions implies the other, and it is the duty of the expending officer to satisfy himself that both are present.

Although it is sometimes, in occasional extraordinary circumstances, necessary for an expending officer to disburse money, or to engage to do so, in the absence of one or both of these conditions, he must remember that he is taking upon himself a responsibility for which he has to give a due account; and he is bound at once to report his action for regularization.

(2) The Budget Estimates are passed and *sanctioned* before the commencement of the year to which they apply. They *provide* for expenditure within certain limits; and Local Governments have power, subject to well-known rules, to regulate their expenditure within these limits. Outside these limits no expenditure of any sort whatever can properly be incurred, unless a special additional grant to cover it has been applied for and sanctioned by the Government of India.

The Revised Estimates (not Revised Budget Estimates, as they are often improperly called) make no *provision* for any expenditure whatever; they are *accepted*, not sanctioned, by the Government of India; and no entry in them carries with it any authority for expenditure of any kind. They do not even provide for, or authorize, the expenditure of charges already entered in the Budget Estimates; for these latter alone possess authority. The Revised Estimates are not Budgets or appropriations of money, nor do they supersede the Budget Estimates as the basis for the regulation of expenditure. They are estimates pure and simple, prepared for information, in order to indicate to Government how far the expenditure already sanctioned (in the Budget Estimates and in subsequent additional grants, if any) will be worked up to. If the figures for expenditure in the Revised Estimates exceed the total of the Budget Estimates, and of special grants already made or applied for, they clearly must be wrong, and will be corrected accordingly by the Government of India; for no expenditure can be incurred

that has not been sanctioned, and, if it had become apparent, before the preparation of the Revised Estimates, that expenditure in excess of existing sanction would be necessary, additional sanction would, under standing rules, have been applied for at once.

The rule is that sanction to all expenditure in excess of Budget provision must be applied for *as soon as it becomes apparent that such expenditure will be necessary*. When, however, the excess expenditure under individual heads is small, it may happen that the general review of the year's requirements which is made for the purposes of the Revised Estimates discloses for the first time the necessity for such expenditure. When that is the case, the application for an additional grant must be made at once, separately, and in a complete form, so that it may be disposed of quite apart from the Revised Estimates. It has, indeed, no connection with those estimates; for the making of the application is a condition precedent to the inclusion of the sum applied for in the estimates: in short, the estimates depend on the grant, not the grant upon the estimates.

As soon, then, as it appears that expenditure in excess of Budget sanction will be necessary an application for an additional grant should be made at once. It must be shown—

- (a) that the expenditure is necessary and unavoidable, or at least in the highest degree advisable;
- (b) that it could not have been foreseen when the Budget Estimates were prepared; or if it could have been, it must be explained why the necessary provision was not made;
- (c) that it cannot be met by reappropriation within the Budget grant for forest expenditure;
- (d) that it cannot be met by reappropriation from the Budget grants under other major heads of expenditure which are controlled by the Local Government.

In an organization such as the Forest Department, extra expenditure may occasionally be highly advisable, though not absolutely unavoidable. For instance, expenditure which produces revenue may have to be increased in the course of the year; and if a demand should spring up for certain forest produce, it must be met at once, or the revenue may be altogether lost. But in all cases the necessity for the proposed excess expenditure must be fully explained and justified in detail; mere general references to a probable increase in the receipts are insufficient.

(3) The Revised Estimates of any year are a mere forecast, as accurate as possible, of what the actual results of the year are likely to be, independently of the question whether there is, or is not, authority for the expenditure included in those estimates, and that the figures adopted for them are useful only for administrative purposes and cannot be used for purposes either of budget control or of audit. The acceptance of the Revised Estimates does not warrant any departure from the

Government of India Resolution No. 2225A., dated the 18th May 1897.

rules for controlling and limiting expenditure by Budget provision, and the figures of the Revised Estimates should not be taken as in any way superseding, for purposes of control of expenditure, the Budget Estimates passed by the Government of India.

The authorized grants made in the letters which convey orders on the Budget Estimates and any additional grants or reappropriations made under proper sanction and authority, and not the figures in the Revised Estimates, should therefore always be made the basis of applications for any necessary additional grants. As soon as it becomes apparent that expenditure in excess of the Budget grant will be necessary under any head and cannot be avoided, an application for an additional grant should be made, unless it is within the power of the Local Government to sanction the grant itself: full explanation of the particular items to which the excess is due and of the reasons for incurring the expenditure should be given, and specific reappropriations of Budget grants should be proposed, or if it is necessary to go beyond the limits of Budget grants specific additional grants should be proposed; nor should the explanations required in these cases refer in any way to the Revised Estimates. It is not convenient that the Revised Estimates should be in any way connected with such applications, as their acceptance does not imply any sanction to the expenditure included in them.

It is also necessary to point out that additional grants for any year cannot be sanctioned after the close of the year; and that proposals for such grants as well as for reappropriations of existing grants should therefore always be submitted in time to admit of orders on them being passed before the close of the year.

56.—Statement of Revenue and Expenditure to end of January and forecast for February and March.

A comparative statement of Revenue and Expenditure should be submitted as early as possible in February in Bengal Adopted Forest Form No. 12 in order that savings towards the close of the year in certain divisions may be utilized in others and so that the Budget figures sanctioned by Government may be worked up to.

Conservator's Circular No 288, dated the 28th October 1903, as amended by Circular No. 168-654, dated 12th October 1912.

57.—Appropriation Report of the Receipts and Expenditure of the Forest Department.

Under Article 1459 of the Civil Account Code, each Accountant-General is required to prepare and submit to the Comptroller and Auditor-General an annual Appropriation Report of the Receipts and Expenditure of the Forest Department, setting forth the results of the comparison of the actuals with the estimated figures of the year, and detailing the causes of difference. Accordingly, not later than the 1st September, a statement containing the following figures

should be submitted by each Conservator to the Accountant-General, Bengal :—

- A.—Actuals of previous year.
- B.—Budget of year in question.
- C.—Revised Estimate of year in question.
- D.—Actuals of year in question.

The figures will be classified under the following heads for each Circle as a whole :—

Receipts.

- I. Timber and other produce removed by Government agency.
- II. Timber and other produce removed by consumers or purchasers.
- III. Other receipts (*i.e.*, the total of the figures under all other service heads).
- Total .

Expenditure.

Conservancy and Works—

Timber and other produce removed from the forest by Government agency.

Timber and other produce removed from the forest by consumers or purchasers.

Other charges (*i.e.*, the total of the figures under all other Service heads under Conservancy and Works).

Establishments

Total .

The figures of the Budget and Revised Estimates should be those sanctioned by the Government.

An explanation should be given of differences between B and D, detailing the cause in each case. If the Revised Estimate differs in any marked degree from the final actuals, an explanation should be recorded of the circumstances under which it did not more exactly correspond with the actuals.

A note should be made explaining any noteworthy difference between the actuals of the year of estimate and those of the preceding year.

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4

drawn in favour of the postmaster on such treasury or sub-treasury. The latter course can only be adopted when the remitter has a banking account with the treasury or sub-treasury concerned.

(7) The money-order will be treated by the post office as an ordinary inland money-order, and acknowledgment sent to the remitter in due course. The remitter's accounts will be supported by the acknowledgment, as well as the receipt referred to in Rule 4 above.

59.—Adjustment of Revenue Remittances in Consolidated Treasury Receipts.

Great difficulty is experienced in checking the revenue remittances with the treasury schedules owing to the last column of the consolidated treasury receipts, which accompany Form No. 60-Q, Civil Account Code, not being properly filled in by some of the Divisional Forest Officers. In some cases the column is left entirely blank, while in others the number of the items and the date of entry in forest accounts entered therein do not correspond with the number of the items or of the *challans* and the dates of remittances shown in Form No. 60-Q, Civil Account Code. As these particulars are required for the agreement of the remittances debited in the forest accounts with those credited in the treasury accounts, Divisional Forest Officers are required to fill in the last column of the consolidated treasury receipt regularly and correctly.

In some divisions a large number of items of treasury credits remain unadjusted for a considerable length of time, although all items should be charged off to remittances directly they are remitted to treasury. In the case of Subdivisional and Range Accounts which are closed before the expiry of the month, remittances made between the closing of the accounts and the last day of the month can always be adjusted in the next month's accounts.

The Divisional Forest Officers should pay special attention to the adjustment of remittances. On receipt of a consolidated treasury receipt they should carefully check the entries in it with those in their accounts, and if there is any discrepancy, they should at once enter into correspondence with the Treasury Officer concerned.

60.—Revenue received in advance.

Revenue received in advance should in no case be left unadjusted for a longer period than three months from the date of its receipt. Should circumstances render this impracticable, the matter should be specially reported for Conservator's orders.

Conservator's Circular No 165A,
dated 3rd December 1894.

61.—Earnest-money:

Earnest-money deposits tendered by contractors should not be entered in forest accounts, but should be paid direct into the treasury for credit to "Deposits" by the contractors themselves.

Comptroller General's No 1801, dated 28th July 1899

62.—Worn and Defective Coins.

The following procedure has been laid down in regard to the receipt in revenue of worn and defective coins:—

- (1) When coins are reduced by fair wear and tear they should be received by the Treasury Officer at their nominal value, and not cut and returned to the tenderer. Instances in which these orders have not been observed should be reported to the Comptroller-General, to whom the coin, or coins, should be forwarded by registered post for inspection and orders.

- (2) In all cases in which coins have been fraudulently reduced in weight the collecting officer must bear the loss. But such instances ought to be the exception, as with ordinary care coins fraudulently treated ought to be detected, as they bear marks on their face of such treatment and are very light, and short of the proper weight by 10 grains or even more.
- Comptroller and Auditor-General's letter No 2512, dated 6th September 1899.

63.—Prohibition against clerks receiving applications or payments for forest produce.

(i) Members of the office establishment should not be entrusted with Government money, except as advances on account of the pay of office establishments and for contingent charges, which should as a rule be made payable only to the head or camp clerk, nor should they be authorised to receive payment for forest produce.

(ii) Applications for forest produce should be received by the Divisional Officer or other executive officer especially authorized, and not by members of the office establishment. When the officer so authorized is not at head-quarters, the applications should be sent to him accompanied by the Treasury *chattri*, on receipt of which he can issue the necessary license.

64.—Maxima Cost of Construction of Forest Buildings.

The cost of buildings constructed for use as residences for the undermentioned class of subordinates should not, without the special sanction of Government, exceed the following amounts:—

Government of Bengal, Revenue Department, letter No 1003, dated the 24th February 1903.

- | | |
|--|--------------|
| (a) If the building is intended to accommodate a Ranger or Subdivisional Officer ... | Rs.
1,250 |
|--|--------------|

	Rs.
(b) If the building is intended to accommodate a Deputy Ranger, Forester, or other officer on a pay of not less than Rs. 15 and not more than Rs. 50 a month and in charge of a beat or of a revenue or checking station	750
(c) Ditto a Forest Guard or any other subordinate on the executive side drawing less than Rs. 15 a month	300
(d) Ditto for ministerial officers	500

65.—Hire of Buildings for Office Accommodation.

When necessary the Conservator may rent ordinary office accommodation within the following limits:—

(1) When the accommodation is provided in a separate building—Rs. 100 a month.

(2) When the accommodation is provided in a building partly used as a private residence—one-half the total rent, subject to a maximum of Rs. 45 a month.

Bengal Government Resolution
No. 1640Ex, dated the 14th March
1908.

66.—Hire of Government Elephants used by Officers.

When Government elephants are used by an officer for the carriage of articles for which, if they were carried on a cart, he would have to pay the hire of that cart, a charge of Rs. 2 per diem shall be made for each elephant so used; but when used partly for private and partly for official purposes, as, for instance, where an elephant carries personal luggage as well as articles, the property of Government, Re. 1 per diem shall be charged for each elephant. When an officer goes out on inspection or other such duty in tracts where it is impossible for him to travel except on an elephant, no charge at all need be made for that elephant.

Bengal Government Resolution
No. 2909F., dated 9th May 1891.

67.—Defalcation or Loss of Public Money.

Whenever any defalcation, or loss of public money or fraud in connection with the revenue from timber or other forest produce is discovered, the fact should be immediately reported to the Local Government and to the Accountant-General; and when the matter has been fully enquired into, a further and complete report should be submitted to them of the nature and extent of the loss, showing the errors committed, or neglect of rules by which such loss was rendered possible, and the prospects of effecting a recovery.

68.—Completion Reports of sanctioned Works.

When reporting completion of sanctioned works Divisional Forest Officers will note whether the work was done in accordance with sanctioned plans, estimates, and specifications and if these have been deviated from, details of the deviations should be stated and the reasons for such deviations should be explained.

The date of completion of the work should be stated and in the case of residential buildings and offices the date of occupation should also be reported.

69.—Rewards in Forest Offence Cases.

(1) Rewards out of compensation realized for forest offences should be paid after sanction has been obtained in the month in which compensation has been realized, or at the latest in the month following.

(2) When asking for sanction to the payment of rewards the reasons should be given in each case, and rewards should not be recommended for subordinates in the Forest Department except in cases where they show exceptional zeal, detective ability or courage.

(3) The application for sanction to rewards should be submitted in Bengal Forest Adopted Form No. 15.

(4) When rewards are recommended in a forest offence case in which the accused is convicted by a court, applications for sanction to the rewards should be accompanied by a copy of the judgment and full information regarding the manner in which, and the extent to which, each of the persons for whom rewards are recommended have contributed to the detection of the offence and the discovery of the offender. The Divisional Forest Officer recommending the reward should state whether the amount recommended can be met from the Budget allotment of his division.

70.—Statement showing Local Allowances sanctioned in Bengal.

Forest Division.	Officers concerned.	Amount of local allowances (or percentage).	Reference to orders under which the allowance is drawn.	Classification of the allowances.
Direction ...	Divisional Forest Officer, Darjeeling Division, for holding charge of the Direction Division and for management of the Birch Hill Park and Labang Woods.	Rs. 50	Secretary of State's Despatch No. 74 Rev., dated 10th May 1907.	"Duty allowance."
Direction Darjeeling.	Clerks of the Conservator's Office and of the office of the Deputy Conservator of Forests, Darjeeling Division.	25 per cent of their salaries in each case	Bengal Government No. 2157 T.—R., dated 30th September 1907.	"Local allowance."
Ditto	Peons in Conservator's and in the Darjeeling Forest Office.	Ditto of pay	Bengal Government No. 2609 T.—R., dated 23rd October 1907.	
Direction ...	Dutty	Ditto	Bengal Government No. 1126 T.—R., dated 1st July 1912.	Ditto.
Ditto	Draftsmen of Conservator's Office.	Ditto	Bengal Government No. 11697, dated 12th December 1914.	Ditto.
Kurseong	Director of the Forest School at Kurseong.	Rs. 100	Secretary of State's Despatch No. 117 Rev., dated 8th October 1906.	"Duty allowance."
	Instructor of the Forest School at Kurseong (who will be a member of the Provincial Forest Service).	Rs. 50	Ditto	"Local allowance."
Jalpaiguri Buxa.	Each of the Divisional Officers in charge of the Buxa and Jalpaiguri Divisions	Rs. 50	Secretary of State's Despatch No. 33 Rev., dated 16th February 1906.	Ditto.
	Any gazetted officer on pay of Rs. 350 and upwards attached to either of these divisions.	Rs. 50	Ditto	Ditto.
	Officers of the Provincial Forest Service on pay of Rs. 250 and upwards but below Rs. 350.	Rs. 40	Bengal Government No. 2635, dated 9th March 1915.	Ditto.
	Probationary Extra Assistant Conservators.	15 per cent. of the pay drawn.		
	Forest Rangers on pay of Rs. 50 to Rs. 150.	20 per cent. of their pay subject to maximum of Rs. 20.	Secretary of State's Despatch No. 33 Rev., dated 16th February 1906.	Ditto
	Deputy Rangers on pay of Rs. 30 to Rs. 40 and Foresters on pay of Rs. 20 to Rs. 25.	20 per cent. of pay subject to minimum of Rs. 5.		

Forest Division.	Officers concerned.	Amount of local allowances (percentage).	Reference to orders under which the allowance is drawn	Classification of the allowances
Buxa	Clerks of the Forest Office at Buxa Dun.	40 per cent. of their salaries.	Bengal Government No 7467, dated 5th August 1914.	"Local allowances."
Do.	Forest Guards employed as caretakers of the following rest-houses—			
		Rs.		
	Chilapata	2	Pas eru Bengal and Assam Government No. 2375P., dated 31st March 1908.	Ditto.
	Nilpara	2		
	Butri	2		
	Bhutanghat	2		
	Sahebpura	2		
Do.	Beat Guards employed as caretakers of the rest-houses at Ralda and Jamguri	2 each		
Do.	Hospital Assistant at Rajabhatkhawa.	20 per cent. of pay.	Eastern Bengal and Assam Government No. 4235 P., dated 23rd May 1908.	Ditto
Sundarban ...	(1) Divisional Forest Officer.	Rs 75	Secretary of State's Despatch No. 25 Rev, dated 18th February 1900.	Ditto.
	(2) Each attached Gazetted Officer.	25 per cent. of pay subject to a maximum of Rs. 75.	Ditto	Ditto
	(3) Each Forest Ranger employed in the coupes or on the performance of other active duties in the forest.	25 per cent. of pay.	Ditto	Ditto.
	(4) Each Deputy Ranger similarly employed.	Rs. 18	Ditto	Ditto.
	(5) Each Forester similarly employed and each Deputy Ranger, Forester or temporary revenue station officer employed as coupe clerk.	Rs. 12	Ditto	Ditto.
	(6) Each guard similarly employed	Rs 6	Ditto	Ditto.
Chittagong Tracts Hill	Gazetted Forest Officers and Officers of the Subordinate Forest Service serving in the Chittagong Hill Tracts.	Local allowance at the same rates as have been sanctioned for Forest Officers serving in Jalpaiguri and Buxa Divisions.	Secretary of State's Despatch No. 91 Rev., dated 21st October 1910. Bengal Government No. 348 of 18th December 1911.	Ditto.
Ditto	Ministerial officers of the Forest Office at Rangamati.	20 per cent. of their pay subject to maximum of Rs. 15.	Bengal Government No 1216 J.—R., dated 4th June 1913.	Ditto.

CHAPTER V.

Office Business other than Accounts.

* NOTE.—In Articles 71 to 74 the forms marked with an asterisk are such as were prescribed under the 6th edition of the Forest Department Code. Specimens will be found under Article 76

71.—General.

(1) Office work should be conducted in such a manner that, while a sufficient record of every transaction is preserved, the bulk of documents may be kept as small as possible and arranged as best calculated to facilitate reference.

(2) Long letters and reports are to be divided into numbered paragraphs; and if they are of great length, a brief marginal abstract of each paragraph may usefully be added.

(3) A group of documents relating to one subject is called a "case." A group of cases referring to one head or division of work may be collected in a "file."

(4) Each case will be kept in a case cover (Bengal Adopted Forest Form No. 10), on which the case number and subject of the case and the name of the file will be entered.

(5) The files may be as various as the requirements of each office necessitate.

(6) A register of cases will be kept (Form No. 44)* with a series of numbers commencing on the opening of each calendar year. These numbers and the name of the file will be entered on the case cover.

(7) To facilitate the keeping of each case complete in itself, no two subjects should, as a rule, be included in one letter or docket.

(8) Government and Account Department general orders and circulars will be filed separately, according to number and date, in a "Circular file." If they are received in duplicate, one copy will be placed with the case to which it relates. If only one copy be available, and it has special reference to any case, a memorandum of its contents will be filed therewith.

(9) (i) In each office a register of books (Form No. 45)* must be kept up. The current number of the register and the date of receipt should be entered on each copy. The column of "Remarks" is intended to explain what has become of any copies which may have been lost or otherwise disposed of. The entries in this column should be dated and initialled by the officer to whose office the books belong.

(ii) A separate register for maps will be kept in the same form.

(10) All accounts, books, maps, records, and papers of a Forest Office are Government property, and the officer in whose charge they are will make them over to his successor on being relieved of charge, or to his departmental superior whenever they may be demanded.

(11) (i) Telegrams should be numbered and when replying by telegram the number and date of the reference should be quoted. Post copy of Service telegrams should be sent (Bengal Adopted Forest Form No. 9).

(ii) Telegraphic communications regarding applications for leave of absence and for appointments should not be sent at public expense. An officer seeking leave or applying for an appointment should prepay his reply. No one communicating with Government is entitled to a reply by telegram.

Government of India Circular No 941,
dated 18th June 1864.

(12) (a) Covers containing official correspondence which is not of a confidential nature should be addressed to the officer for whom they are intended by his official designation only and without the addition of his name.

Bengal Government Circular No. 937
P., dated 19th March 1901.

(b) Confidential papers should be placed in double covers, the inner cover being marked "Confidential" and superscribed with the name only of the addressee, the outer cover being addressed in the manner prescribed at (a) above.

(13) In referring to an officer mentioned in communications to Government he should be referred to by name as well as by his official designation.

Bengal Government Circular No. 5,
dated 28th February 1895.

72.—Offices of Divisional Officers and their Subordinates.

(1) Registers of receipts and issues of correspondence will be kept in the same book (Form No. 46).^{*} One book will be kept for correspondence with the Conservator's Office, and another for general correspondence.

A new series of numbers will be commenced in each register book at the opening of each calendar year. Circulars are to be entered in red ink.

(2) All letters will be opened by the officer to whom they are addressed or by some one duly authorized by him, the date of receipt will be recorded on each document and it will then be entered in the register. The register number and the number of the case to which they belong, will be entered on each document.

(3) Every year the Divisional Officer and his clerks will sort the cases that have been closed for three full years, with a view to destroy those documents which may be considered of no further use. A large bulk of the correspondence may be got rid of by destroying forwarding dockets, enquiries and reminders. Many of the letters relating to questions which have been settled for three full years

can also be destroyed, provided the register books contain all that may be necessary to ascertain regarding them.

The original accounts rendered to the Divisional Officer by Sub-divisional officers and subordinates, and which have been filed in his office for three full years, should be similarly set aside for destruction.

Such documents as annual or special reports, correspondence relating to boundary questions, to rights and privileges of other persons in the forests, to working-plans and annual plans-of-operations, and to all subjects affecting the general management and history of the forests included in the division, as well as all orders of Government and circulars on important subjects, should be carefully preserved.

Records in Civil Account Code Forms Nos. 60-E, 60-F, 60-H, 60-I, and 60-N should be preserved for the periods specified in the margin. The Register of Reserved Forests (Forest Department Code, 7th edition, Form No. 1) is an important document and should be continuously retained. Forest Department Code, 7th edition, Forms Nos. 2, 3 and 4, should be preserved until a working-plan or other report, embodying a complete account of the history and statistics during any period considered, has been prepared or revised for the forests in question. As a general rule, when monthly or annual returns have been reproduced or adequately summarized in printed working-plans or administration reports, the original manuscript forms, if they have been retained for at least three full years in all, may be destroyed.

Service-books of officers dismissed from the service of Government should be preserved for a period of twelve years.

(4) The above rules apply, as far as practicable, to subordinate officers also.

Officers who are not provided with clerks will conform, as nearly as possible, to the above rules. They may, under ordinary circumstances, dispense with copying letters, but will in that case make fuller entries of their contents in the register books.

(5) Divisional Forest Officers will keep the Conservator informed, by means of a monthly abstract, of any important correspondence which does not reach the Conservator.

73.—Conservator's Office.

1. Registers of receipts and issues of documents (Form No. 46)* must be kept as ordered for divisional offices. There may be as many register books as will suit the requirements of the office.

2. The rules regarding registry of correspondence apply generally to Conservators' office.

3. A register of the distribution of books, circulars, etc., will be kept (Form No. 47).*

4. When the Conservator is absent on tour, a list (Form No. 48)* of all documents received in and issued from the office, will be sent to him daily, or as frequently as he may direct, with all letters that cannot be answered without reference to him, and all reports and papers that it is desirable he should see. The Conservator will return the list with his orders.

Should the Conservator, while on tour, carry on any official correspondence which has not passed through his office, he will send there the original letters received and copies of those written by him. He will keep a camp register book for the latter, the entries being numbered consecutively as in the case of other register books.

5. The Conservator's sanction will be obtained before documents belonging to his office are destroyed.

74.—Transfer of charge.

1. On the occasion of a transfer of charge, arrangements must be made by the two officers concerned that the relieving officer is placed in such a position as will enable him to carry on the duties of which he has taken charge in an efficient manner, and with as complete a knowledge of the property entrusted to his charge, the works in progress, and all arrangements made in connection with them, as the circumstances of the case admit.

2. A transfer report, signed by the relieved and relieving officers, will, on the day of transfer, be submitted to the Conservator in the case of a transfer between two Divisional Officers, and to the Local Government in the case of the transfer of the Conservator's Office; intimation will also be made by telegram. The relieved officer will report the transfer of divisional charge to the officers in charge of the treasuries on which he holds letters-of-credit, and will, at foot of the report, send a specimen of the relieving officer's usual signature, in order that the treasury officers may satisfy themselves as to the validity of the cheques presented by the relieving officer.

3. The relieving officer must see that all office books are posted up to date, and, in the case of cash and stock accounts, that the needful vouchers of receipts and issues belonging to the accounts of the current month are made over to him. The relieving officer will make himself acquainted with all outstandings and liabilities on account of the department, and state that he has done so.

The Cash Book will be closed, and the cash balance will be counted, in the presence of both officers, who will then sign the book.

A certificate (Form No. 50)* will be made out in duplicate and signed by both officers. These certificates will be forwarded to the Conservator or to the Local Government, and the original will be submitted to the Accountant-General.

4. In the case of a transfer between two Divisional Officers, the relieving officer will take over charge of all timber, bamboos, and other forest produce, for which a certificate will be submitted.

Besides cash, timber and forest produce, the following are the main classes of property which ordinarily form the subject of transfer between Divisional Officers :—

- (1) Demarcated reserves.
- (2) Plantations.
- (3) Timber depôts and revenue stations.
- (4) Buildings, roads and bridges.
- (5) Live-stock.
- (6) Machinery, stores, instruments, and tools.
- (7) Books and maps.
- (8) Office records.
- (9) Office furniture.

In the transfer report, the relieving officer should state by what means he has satisfied himself of the nature and condition of the different classes of property of which he has taken charge.

Live and dead stock and other articles which may be at head-quarters, as well as books and maps, office records, and office furniture, should, as a rule, be personally inspected by the relieving officer at the time of transfer, and the fact of this having been done should be stated.

In the case of property at a distance from head-quarters, the registers and other documents in which they are described should be examined.

5. In the case of transfer of charge between officers subordinate to a Divisional Forest Officer, certificates of transfer will be submitted to the Divisional Forest Office only. Intimation will be given by the Divisional Forest Officer to the Conservator of the dates on which gazetted Forest Officers assume or relinquish charge and the dates on which subordinates make over or take over charge on transfer from another division or on proceeding on or returning from leave (except in the case of leave granted by the Divisional Forest Officer) should be promptly reported to the Conservator for entry in the charge or leave statements for the month.

NOTE.—Intimations of dates should state whether the transfer was effected on the *fore* or *after* noon of the day concerned.

75.—Forms.

For ready reference specimens of Form Nos. 44 to 48 and No. 50 as were prescribed under the 6th edition of the Forest Department Code are here given :—

Register of Cases for the year 1884-85.

No. of case.	Name of file.	Subject of case.	Date of close of case.
1	2	3	4
1	Permanent establishments	... Pay of establishments (subordinate).	
2	Stores, tools and plant	... Purchase of carts.	
3	Station fuel supply ...	... Indents from residents.	
4	Permanent establishment	... Pay of Deputy Conservator.	
5	Stores, tools and plant	... Indent for prismatic compass.	

FORM No. 45.

(See Article 71.)

Register of Books in the Office of the Darjeeling Division, Forest Department, Bengal.
Maps

[illegible]

(See Articles 72 and 73.)

**Register of Receipts and Issues of Documents in the Office of the Darjeeling Forest Division,
Bongal, for 1884-85.**

[illegible]

FORM No. 50.

(See Article 74.)

Forest Department, Bengal.***Certificate of Transfer of Charge of the Office of—Conservator
of Forests, Darjeeling Division.***

DARJEELING,

1st June 1884.

I certify that I received charge of the (Darjeeling Division) from Mr. _____ (Deputy) Conservator, on the forenoon of this first day of June 1884.

I received the sum of rupees one hundred only, the cash balance, as shown by the Cash Book on this date.

I have examined all the office books and found them posted up to date.

I have received the needful vouchers belonging to the accounts of the current month, and have made myself acquainted with all outstandings and liabilities on account of the Department.

I have examined the live and dead-stock, as well as the books, maps, office records, and office furniture at head-quarters; and have examined the depôt register, which I have found posted up to date.

I have received one cheque book No. 44, unused, as well as cheque book No. 43, containing cheques Nos. 1056 to 1075. The counterfoils of the previous cheques have been written up.

Countersigned _____

76.—Official Relations between Forest and District Officers.

Rules to regulate the Official Relations between Forest and District Officers.

The Divisional Forest Officer shall be regarded as the Assistant to the District Officer in respect of all forest matters pertaining to his division. Bengal Government letter No. 20For, dated 21st September 1891. retaining at the same time his subordination to the Conservator of Forests; all operations in the Protected and Reserved forests shall be placed under his (the Divisional Forest Officer's) control; and all correspondence on general and administrative subjects connected with forest management between him and the Conservator shall pass through the District Officer, who shall have power to direct him to suspend action on any orders that may be passed thereon by the Conservator. When the District Officer directs such suspension, he shall report the fact of his having done so to the Conservator and to the Commissioner, giving his reasons for the course taken by him.

2. For the purpose of Rule 1, the officer in charge of the Sundarbans Forest Division will be the Assistant in all forest matters to the Collector of Khulna, who should consult the Collectors of Bakargunge and the 24-Parganas in any matter which may, in the circumstances of a particular case, concern them.

3. All orders shall be conveyed from, and reference made to, the Conservator of Forests on the following principles:—

- (a) All correspondence on the subjects mentioned in the annexed schedule shall be carried on direct between the Conservator and the Divisional Forest Officer and *vice versa*.
- (b) All correspondence on subjects not mentioned in the annexed schedule shall pass under flying docket, addressed from the Conservator, through the District Officer, to the Divisional Forest Officer, and *vice versa*.

4. Ordinarily the District Officer, in the case of correspondence not included in the schedule, shall, after perusal, simply record his signature under the word "forwarded" on the flying docket. He may, however, when he deems it necessary, record his remarks on any communication addressed to the Conservator by his departmental subordinates; and he may return to the Conservator for reconsideration any instructions addressed by the latter to the Forest Divisional Officer, recording the grounds on which he solicits such reconsideration.

5. In the event of the District Officer and the Conservator differing on any matter in connection with correspondence passing through the office of the former, should the difference not be removed by mutual references, the point, with the correspondence

out of which it arose, should be submitted to the Commissioner, who shall endeavour to settle it with the Conservator, and, if unable to do so, lay it before Government for orders, informing the Conservator.

6. The Conservator shall be the controlling authority in all matters of patronage in the subordinate branches of the Forest Service and in all matters of departmental discipline.

7. The annual plans of operations, prescribed in section 84 of the Forest Department Code, shall be submitted for the Conservator's sanction on the 1st September in each year, through the District Officer, who will record thereon his approval or disapproval (stating his reasons) of the contemplated operations. In the event of a difference of opinion between the District Officer and the Conservator in respect of any proposal contained in the plan, the matter must either be dropped or referred to the Commissioner, and dealt with as laid down in Rule 5. After final approval of the annual plan of operations, no deviation therefrom, and nothing omitted from that plan at the time of final approval, shall be permitted without the consent of all parties who agreed to its provisions in the first instance. The responsibility for carrying out the provisions of annual plans of operations will rest entirely with the Divisional Forest Officer.

8. The arrangements regarding the provision of funds, power of sanction, and the rendering of accounts shall be those in force, or as modified from time to time, under the orders of Government.

9. The responsibility of the Conservator shall remain unimpaired. He shall be kept regularly informed of all orders issued on forest matters by District Officers, Commissioners, and Government; he shall be made acquainted with all business which passes between District Officers and Divisional Forest Officers; and he shall, as a rule, be consulted on all forest matters to be submitted to Government.

10. The District Officer shall see that the subordinate Revenue officers of all grades not only render the same assistance as heretofore in the management of Government waste lands, and specially in the assessment and collection of Government dues, but also that these officials render assistance in the management of all forests. All distinctions and practices which are likely to encourage the impression that forest work lies outside the ordinary duties of Land Revenue officials should be gradually eliminated. The District Officer shall also authorize the Divisional Forest Officer to address orders to the latter officials direct in matters in connection with which it may be convenient that he should, in ordinary cases, act without the intervention of the District Officer.

11. The Divisional Forest Officer shall, on the 1st and 16th of each month, draw up in his own hand a sufficiently full report or diary of all his movements and of all business transacted by him during the previous fortnight, and submit a copy of the same to the District Officer, who, after recording thereon any remarks he may think fit, shall forward it without delay to the Conservator.

12. (a) The offices of Divisional Forest Officers shall, so far as possible, be located in or in the immediate vicinity of the District Officer's Office.

(b) Formal official correspondence between the District Officer and the Divisional Forest Officer concerning matters dealt with by these rules should be avoided as far as possible, written communications, when necessary, being carried on by the transmission of original files and cases, under the same rules as apply to the transaction of business between a District Officer and his Revenue Assistant.

(c) The District Officer may direct the Divisional Forest Officer to file in the District Record Office such of the Forest records as relate to forest settlements or revenue leases or other matters affecting the use of forests and waste lands by the surrounding population.

13. Proposals of importance for the formation of new forests, or affecting the use of forests and waste lands by the surrounding population, shall, after consulting the District Officer, be addressed by the Conservator to the Commissioner for submission to Government.

Schedule.

List of subjects in respect to which correspondence may be carried on direct between the Conservator and the Divisional Forest Officer.

1. All subjects directly relating to the Divisional Forest Accounts and to the expenditure and revenue of the Forest Division.

2. All subjects of a purely technical nature, such as correspondence relating to the development of trees, to sowing and planting, to valuation surveys, to the collection of data required in the preparation of working-plans, to the manner of felling and thinning trees, cutting, converting and storing timber and firewood, etc., etc.

3. Miscellaneous subjects having no direct or indirect bearing on the welfare of the people, such as stationery, the purchase and keep of departmental cattle, stores, tools and plant, books and maps, etc., etc.

77.—Forest Fire Reports.

1. When any fire affecting an area of 10 acres or more in extent occurs in any forest, the Divisional Forest Officer will, on receipt of a report from the Range Officer, if he is himself not present, at once send a preliminary report of the occurrence to the Conservator of Forests in the usual form (Bengal Adopted Forest Form No. 24) unless he has reason to suppose that he can submit a full report within 10 days.

Conservator's Circular No. 123, dated 19th July 1904.

2. The first report on a forest fire need only give the locality, date of outbreak, measures taken to extinguish the fire and ascertain the cause and the approximate date by which a full report can be expected to follow.

3. The full report should supplement and, if necessary, revise the information given in the preliminary report. The full report need not be delayed pending the result of prosecutions or lengthy investigations.

4. The occurrence of a fire affecting an area of less than 10 acres need not be reported, unless the occurrence is of exceptional interest, but it should of course be entered in the Divisional Register of Fires.

5. The record should show whether the Forest is Reserved, Protected, or Unclassed, and whether the area is "specially protected" or "unprotected," and, if the fire has been a serious one, should be accompanied by a map.

6. Forest subordinates who have been concerned in firing unintentionally, extinguishing or obtaining labour to extinguish fires, should be mentioned by name as well as official designation in the report.

7. Areas entered in full reports should be expressed in acres only, omitting fractions.

8. When offenders concerned in fire cases are detected, they should ordinarily be prosecuted. But in very exceptional circumstances it may be desirable to compound such cases or let the offenders off with warnings, and in such circumstances cases may be so disposed of, provided the District Officer approves and any compensation fixed is realized by the Divisional Officer or by a subordinate who is competent to compound cases. As a rule, when it is not desirable to prosecute, warning offenders is preferable to compounding, due precaution being of course taken to make the offenders understand that they are being leniently dealt with, and the circumstances of all cases disposed of by warning or compounding should be reported to the Conservator.

78.—Stationery.

(1) The supply of stationery is regulated by a fixed book credit which is distributed by the Consolidating Officer to the Indenting Officers, by annual allotment.

Bengal Government Resolution
No. 471T.—Misc., dated 26th May 1911,
and Conservator's Circular No. 161—
477, dated 4th July 1911.

To enable the Conservator to make suitable alterations from year to year Divisional Forest Officers should submit, (not later than the 15th May) a value forecast for the ensuing indent explaining differences from the value of the previous year's indent; the Conservator will then intimate the allotments for each Division on the 1st June. Indents must be prepared in accordance with the rules for the supply of stationery and the regular annual indent is due to reach the Conservator's Office not later than the 1st July.

Supplementary indents should rarely be necessary and should be accompanied by an explanation.

(2) Chubb's locks should be obtained through the Stationery Office and included in the general stationery indent.

Government of India's Resolution No. 4075S R, dated the 18th September 1893

NOTE.—The use of Chubb's locks should be restricted to treasure chests and receptacles for documents of extreme importance. (Bengal Government Resolution No. 471T—Misc, dated 26th May 1911.)

(3) The Conservator is empowered to sanction the supply of typewriters by the Stationery Department for use in all offices of his circle.

Bengal Government Circular No 16F., dated the 26th March 1908.

79.—Bengal Printed Forms.

(1) Printed forms will be supplied by the Press and Forms Manager, Bengal, on indents signed by Divisional Forest Officers and countersigned by the Conservator.

Indents are of three kinds—

- (a) Annual indents.
- (b) Supplementary indents.
- (c) Emergent indents.

Annual indents should be for a supply of all the forms contained in the printed list of each department, sufficient to meet the full requirements of one year, and not more than one annual indent must be submitted from each office for any one class of forms.

Supplementary and emergent indents may be due to under-estimate in the annual indent, the accidental loss of forms, the revision of existing or the introduction of new forms, or to an unforeseen demand. Their submission causes considerable inconvenience to the Forms Department, and every care, as far as possible, should be taken, by the exercise of forethought at the time of submission of the annual indent, to prevent the necessity for them arising. When supplementary and emergent indents, however, are unavoidable satisfactory explanations must be furnished of the circumstances under which they are required, and the supply of forms indented for should be sufficient, taken with any stock in hand, to last up to the end of the period fixed for the annual indent.

Indents should be prepared in duplicate, one copy being retained in the indenting office, and the other being submitted to the Press and Forms Manager, Bengal. Accompanying the latter copy an invoice sheet (Form No. 4, Appendix I) will invariably be sent, which will be returned to the indenting officer with the forms, when supplied, for his signature and return again to the Forms Department as his receipt for the forms.

Instructions for the preparation of indents are given in foot-notes on the forms of the indent. Where it is impossible to comply with them explanations should be entered. A correct indent can

only be based on an exact knowledge of the stock of forms in hand and an intelligent forecast of future requirements. Stock-taking and the custody of forms are dealt with below. The officer in immediate custody of the forms should be held directly responsible, under the indenting officer, for the careful preparation of the indents.

The punctual submission of all indents is essential. Forest Department indents for the following calendar year are due in the Conservator's Office by the 1st June and in the Forms Office by the 1st July: the forms are due for supply by the 31st December.

(2) Custody of Printed Forms in Indenting Offices and Stock-taking.

In every indenting office an officer should be specially deputed by the head of the office to have the custody of all printed forms, for which he will be personally responsible. A special English-knowing ministerial officer to keep the accounts of the receipt and consumption of forms should similarly be nominated by the head of the office.

Packages containing forms should be opened and examined, as soon after arrival as possible, in the presence of the officer deputed under the preceding rule, who will be required to certify as to the condition in which their contents were received, and to compare them with the invoice sheet accompanying. Any differences either in kind or quantity between the forms mentioned in the invoice sheet and those actually received must be stated in detail below the printed form of receipt, which must be signed and despatched to the Press and Forms Manager, Bengal, immediately after the examination is completed. The nature and extent of any damage to the packages or their contents should be clearly stated.

Space should be specially set apart for the storage of forms, and on receipt they should be arranged in it under lock and key. It is essential that the general office staff should not be able to have access to the forms without the knowledge of the officer in charge.

Indenting officers should, by standing order, prescribe the procedure under which forms shall be issued from store for consumption in their offices. The essential conditions to be ensured are that no forms shall be issued without immediate entry in the accounts mentioned in the succeeding rule; that no forms shall be issued except under proper authority; and that no supply of forms of any one kind in excess of the anticipated requirements of one* month shall be issued at one time. The practice of making over at one time to the department or clerks concerned the whole supply estimated for the consumption of the year is prohibited. It effectually defeats the maintenance of any efficient check over the consumption of forms.

An account in English shall be kept of all forms received and issued. As all forms come into or leave the store, their receipt and issue shall be promptly recorded in this account, and the forms of

* A shorter period may be fixed if convenient.

each description in hand shall be balanced at the end of each quarter.

In addition to the entry of forms received under annual, emergent or supplementary indent, it is essential to record the receipt and issue of the same forms if obtained from other sources. It is known that forms are occasionally borrowed from subordinate or neighbouring offices; similarly, they are sometimes, on emergency, printed locally or cyclostyled. Such practices are irregular, and, as an alternative to the submission of supplementary or emergent indents, are absolutely forbidden. If forms are exhausted, the only course recognized is to indent upon the Press and Forms Manager, Bengal, for a fresh supply, and with the exercise of proper foresight it should be possible to obtain them in time to prevent the stoppage of work. When, however, recourse is had to them in instances of such unusual urgency, the unauthorized supplies thus obtained must be shown in red ink in the Register of Receipts and Issues; otherwise that register, as a record of the consumption of forms in the office, becomes incomplete and misleading.

Stock shall be taken of each roll of the forms in each section once a year. The counting of all forms shall be done by the clerk in charge of the Register of Receipts and Issues of Forms, and the officer in charge shall check not less than 10 per cent. of the entries. The register shall then be corrected to show the actual verified balance in hand, and the orders of the indenting officer taken as to any discrepancies discovered.

In order to reduce labour and to minimise the possibility of mistakes, stock-taking should be done when stock is at its lowest, that is, for each section, in the course of the month immediately preceding the receipt of the fresh supply of the forms of the section from the Press and Forms Manager, Bengal.

(3) Introduction of New and Revised Forms.

The date for the introduction of revised and newly-prescribed forms should ordinarily coincide with, or be after, the time fixed for the receipt of the annual supply of the section concerned, in order that the Press and Forms Manager, Bengal, may have each form printed with the other forms for the annual supply. In cases where the immediate revision of an old, or the introduction of a new, form is found necessary, the revising officer should obtain a specific order of Government to the effect that the revision or introduction cannot be postponed till the usual time for printing for that particular section. Where no such order is obtained, the Press and Forms Manager, Bengal, will not treat the order as urgent, but will comply with it when the next supply of forms is issued.

Hasty and unnecessary revision of standing forms should be avoided. The revising authority must in all cases pass orders for the disposal of the stock in hand of the old form which has been rendered useless by the introduction of the new.

Samples of newly-authorized forms are to be forwarded by heads of departments to the Press and Forms Manager, Bengal, with an order for printing and an estimate of the probable consumption of one year. Such working samples should reach the Press and Forms Manager, Bengal, before the dates on which the submission to him of the annual indents is due, so as to allow ample time for the printing of the stock required.

80—Forest Department Publications.

Rules for the Printing, Illustration and Issue of Forest Department Publications.

- (i) The responsibility of the issue of forest publications rests with the President, Imperial Forest Research Institute, who will either himself conduct all necessary correspondence therewith connected, or depute one of his staff for that purpose.

*Inspector-General of Forests' Circular
No. 9-260-1, dated the 30th May 1908*

- (ii) The procedure will be as follows :—

(a) When any person desires to publish a Forest Memoir, Record, or Bulletin, he should send the manuscript and illustrations for reproduction direct to the President of the Imperial Forest Research Institute at Dehra Dun, stating his wishes with regard to the form in which it should be published.

(b) The President may edit publications to the extent of correcting clerical errors and making minor alterations, but he will not alter the sense or main ideas conveyed in the manuscript. He will not be entitled to use the designation of "Editor," nor will his name appear as such in the publications.

(c) The President will transmit the manuscript to the Inspector-General of Forests with his recommendations, and the latter will return it to the President with his orders.

(d) The President will then take the necessary steps for the publication of the manuscript. The first proof will be forwarded by him to the author in duplicate for correction. The final proof will be sent to the President for inspection, who may, at his discretion, forward it to the author for final check. It will then be submitted by the President to the Inspector-General, and with his approval will be printed off.

81.—Seeding of Bamboos, etc.

Whenever a seedling year (which should be watched for) of any species save the commonest* occurs, at least 10 lbs. of the seed should be collected, and intimation of this having been done sent to the Inspector-General of Forests, who will advise the Conservator concerned how to dispose of the seed and, if necessary, give instructions for the collection of a further quantity.

Government of India No ^{261F.}74-1,
dated 1st March 1899

* *Dendroclamus strictus* and
Hamiltonii and *Bambusa arundinacea*

Inspector-General of Forests' Circular
No. 29, dated 31st October 1891

The occurrence of a good seed year of any of the more important kinds of trees or bamboos in every Forest Division should be reported to the Editor of the "Indian Forester."

82.—Arms and Ammunition.

The Government of India having sanctioned the supply of Martini-Henry rifles to the Divisional Officer, Sundarbans Division, for distribution among the subordinates working in the forest on account of the prevalence of man-eating tigers, the following rules have been prescribed for the care and custody of rifles and for the receipt and issue of ammunition:—

Bengal Government, Revenue
Department, No 905F.—R, dated the
16th June 1910

Rules regarding the Care and Custody of Rifles and Ammunition supplied to Forest Department, Bengal.

1. Registers in the forms attached shall be kept in duplicate of all arms and ammunition of all kinds in use in the Sundarbans Division. One copy of each Register shall be kept by the Head Clerk, and the other copy by the Tour Deputy Ranger accompanying the Divisional Forest Officer's launch. This officer shall be in charge of all arms and ammunition until such have been distributed to other officers for use, and shall be responsible that all such arms are kept clean and in good order. All rifles in his charge shall be kept under lock and key.

2. Rifles and ammunition for them shall be distributed to Government officers only.

3. Receipts shall be given and taken when such a distribution is made and in case of the transfer of any arms or ammunition from one officer to another.

4. No rifles shall be lent to wood-cutters or traders.

5. The Register shall be submitted to the Divisional Forest Officer on the 1st of every month by the Tour Deputy Ranger.

6. Transfers of rifles from one officer to another shall be notified to the Divisional Office at Khulna; and such notice shall be forwarded to the Tour Deputy Ranger in order to enable him to

correct his Register after an entry has been made in the Divisional Office Register. Entries in the two Registers shall be compared monthly by the Divisional Forest Officer.

7. Officers in charge of arms shall be responsible that they are kept clean and in good order. Arms must be cleaned at least once a week and on each occasion they are used, as soon as possible, after firing. Officers shall be responsible for the safe custody of all arms and ammunition in their charge.

8. All losses of rifles shall be reported to the Conservator of Forests with a full explanation of the occurrence, and an annual statement showing the distribution of all rifles shall be submitted to the Conservator of Forests, with the return of stores, tools and plant.

9. All officers supplied with ammunition shall be responsible for the return of the empty cartridge cases, of which a strict account must be kept. Empty ball cartridge cases shall be returned to the Ordnance Officer, Fort William, by the Divisional Forest Officer in multiples of 600, that is the number contained in each box of ammunition supplied. Empty blank cartridge cases may be returned in any number.

10. The Divisional Forest Officer is generally responsible for the care of the Government rifles allotted to the Division and for their distribution among the Forest establishment.

83—Calendar statement showing the returns, etc., to be submitted by Officers in charge of Forest Divisions.

NAME OF RETURN, ETC.	LATEST DATE OF POSTING BY DIVISIONAL OFFICERS.												REMARKS.
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	
Abstract of Important Correspondence.	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	Conservator's Circular No. 9231, dated 16th October 1891 and Article 72 (5), Bengal Presidency Forest Manual.
Application for temporary establishment	1st ...	...	...	...	...	...	...	...	...	...	...	...	Article 7, Forest Department Code, 7th edition.
Discharges of Divisional Officers	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	1st ...	Conservator's Circular No. 92M., dated 16th October 1891.
Monthly accounts	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	16th ...	
Return of changes and leave granted to subordinates.	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	5th ...	Article 468A, 59, Civil Account Code, 7th edition (reprint) and Article 54, Bengal Presidency Forest Manual.
Register of Officers	31st ...	28th ...	31st ...	30th ...	31st ...	30th ...	31st ...	31st ...	30th ...	31st ...	30th ...	31st ...	Article 468A, 32, Civil Account Code, 7th edition (reprint). Should be sent direct to the Accountant-General, Bengal.
Osab balances report	31st ...	28th ...	31st ...	30th ...	31st ...	28th ...	31st ...	31st ...	30th ...	31st ...	30th ...	31st ...	Article 468A, 30, Civil Account Code, 7th edition (reprint).
Departmental examination of Forest Officers.	31st ...	28th ...	31st ...	30th ...	31st ...	30th ...	31st ...	31st ...	30th ...	31st ...	30th ...	31st ...	Article 468A, 19, Civil Account Code, 7th edition (reprint). Should be sent direct to the Accountant-General, Bengal.
Statement of revenue and expenditure to end of January and forecast for February and March.	...	1st ...	...	...	...	...	...	...	...	...	...	...	Conservator's Circular No. 23-267, dated 3rd March 1913.
Application for letters of credit	...	...	...	...	...	...	...	...	...	...	...	...	Conservator's Circular No. 233, dated 28th October 1902, as amended by Conservator's Circular No. 168-684, dated 12th October 1912.
	...	28th ...	...	...	28th ...	...	...	28th ...	...	...	28th ...	...	Article 468, 24 (1), Civil Account Code, 7th edition (reprint).

NAME OF RETURN, ETC.	LATTEST DATE OF POSTING BY DIVISIONAL OFFICERS.												REMARKS.
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	
Indent for stationery	1st ..	..	..	..	..	..	Financial Department (Miscellaneous) Circular No. 1314, of 2nd January 1913 and Conservator's Circular No. 147-211, dated 25th February 1913.
Confidential reports on gazetted officers and subordinates.	1st ..	..	..	..	..	..	Conservator's Circular No. 61E, dated 28th July 1902, No. 210 of 27th October 1910 and No. 171-456, dated 11th July 1911.
Return of stores, tools and plant	1st ..	..	..	..	..	..	Conservator's Circular No. 194, dated 28th October 1902.
Information for the Annual Report on forest botany for the Board of Scientific Advice.	1st ..	..	..	..	..	..	Forest Botanist Circular No. 635-M, dated 11th September 1911.
List of second grade foresters fit for promotion.	1st ..	..	..	..	..	..	Conservator's Circular No. 175-97, dated 12th July 1911.
Annual reports and returns	1st ..	..	..	..	..	Article 74, Forest Department Code, 7th edition, and Conservator's Circular No. 72-98, dated 14th June 1912.
New entries in the Register of reserved and protected forests.	1st ..	..	..	..	..	Article 44 (iv), Forest Department Code, 7th edition.
Report of stock-taking	1st ..	..	..	..	..	Conservator's Circular No. 16, dated 4th August 1899.
Takavi advances	1st ..	..	..	..	..	Board of Revenue No. 3801A., dated 8th November 1910.
Control forms	15th ..	..	..	..	..	Article 27 (i), Forest Department Code, 7th edition.
Annual plan of operations	1st ..	..	..	..	Article 47(c), Forest Department Code, 7th edition, and Conservator's Circular No. 87, dated 28th June 1904.
Budget estimates	1st ..	..	..	..	Article 72, Forest Department Code, 7th edition, and Conservator's No. 2028-175, dated 26th August 1912.
Bursong School nominations	15th ..	..	..	..	Rule 4 of the Ku s'eng Forest School Rules.
Charitra, recommendation for the award of.	22nd ..	Conservator's Circular No. 1403M, dated 9th December 1912.

84.—Powers delegated to the Conservator of Forests, Bengal, under the Civil Service Regulations (5th edition).

Article under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
95	Circular No. 2T.—F., dated 26th April 1910.	Power to assign to an officer placed in charge of the current duties of an office a charge allowance less than the amount admissible, and, on the other hand, if he thinks the amount too small to grant for specially recorded reasons the full acting allowance.	
147 (iii)	No 41F., dated 11th August 1913.	Power to grant to an officer without substantive appointment who officiates in an appointment the pay of which is less than Rs. 100 a month allowance in excess of half pay of the appointment, without any reduction in the absentee's leave allowances to which he might otherwise be subject under Article 147 (iii), Civil Service Regulations.	
166	Circular No. 3T.—F., dated 26th April 1910.	Power to grant the local allowance attached to an office to an officer placed in charge of the current duties of that office.	
168	Circular No. 3T.—F., dated 26th April 1910.	Power to appoint one officer to hold substitutively, as a temporary measure, or to officiate in, two or more independent appointments at one time and to regulate the allowances within the prescribed limits.	As detailed in Article 168 (i) (ii), (iii), Civil Service Regulations.
230 253 254	Circular No. 55F., dated 26th November 1908.	Power to exempt an officer from loss of appointment for overstay of leave and to remit the penalty of interruption of duty for overstay of privilege leave, examination leave and joining time.	

Article under which power is delegated.	Government order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
422 } 423 }	Circular No. 45F., dated 22nd September 1908, and No. 417 of 13th January 1915.	Power to condone interruptions in service. Power to condone deficiency in qualifying service.	Up to two months under Article 422 (i), Civil Service Regulations. Up to six months under Article 422 (ii), Civil Service Regulations. Up to two months under Article 423, Civil Service Regulations.
459	Circular No. 10A., dated 18th August 1890, and Circular No. 1A., dated 14th February 1895, and Circular No. 3T.—F., dated 26th April 1910.	Power to grant extensions of service to non-gazetted officers on attaining the age of 55 and up to 60 and to compel such officers to retire between these ages.	Extensions of service not to exceed one year at a time.
841 (c)	No. 657T.—R., dated 1st June 1911.	Power to grant privilege leave up to three months to all gazetted Forest Officers subordinate to him.	Provided that the necessary arrangements to carry on the absentee's duties can be made by him without reference to Government, and provided no enhancement of the pay of any officer deputed to carry on such duties is involved. (The Audit Officer's report on the application for leave will be sent direct to the Conservator, and the order notifying the leave which will be sent direct to the Superintendent of Government Printing, will appear over Conservator's name in the Calcutta Gazette.)
945	No. 417, dated 13th January 1915.	Power to exempt a pensioner from personal appearances upon production of a life certificate.	
957 } 959 }	No. 2359F., dated 16th April 1908, and No. 569T.—F., dated 30th May 1905.	Power to sanction payment of arrears of pension. Power to sanction payment of arrears of pension due to deceased pensioners to their heirs.	

1000 } 1001 }	Circular No. 30T.—F., dated 2nd October 1913, as amended by Financial Department letter No. 19F., dated 6th January 1914.	Power to sanction recovery of actual cost of freight by rail or by steamer for horses, bicycle, and camp equipment on tour.	LIMITS. <i>Conservator</i> — Two horses, 1 bicycle and 20 maunds. <i>Divisional Forest Officers</i> — Two horses, 1 bicycle and 20 maunds. <i>Assistant Conservators and Officers of the Provincial Forest Service when not in charge of a Forest Division.</i> One horse, 1 bicycle and 10 maunds.
1010	Circular No. 3T.—F., dated 26th April 1910.	Power to grant the travelling allowance attached to an office to an officer placed in charge of the current duties of that office.	
1036	No. 17 T.—F., dated 8th October 1909.	Power to exempt Forest Officers subordinate to him from loss of travelling allowance during halts exceeding ten days.	Limit 30 days in each case : subject to the conditions of Article 1056, Civil Service Regulations. <small>NOTE.—Does not extend to halts in hill portions of the Darjeeling district : in such cases exemption requires the sanction of the Local Government (see Circular No. 31F., dated 14th July 1910).</small>
1061	Circular No. 3T.—F., dated 26th April 1910.	Power to allow an officer compelled, on a sudden emergency, to leave his camp and proceed rapidly on duty to a place more than 20 miles distant, to draw the actual expenses of maintaining such camp not exceeding the daily allowance in addition to the allowances admissible under Chapter LII, Civil Service Regulations, whether the camp is moved or not.	

85.—Powers delegated to Divisional Forest Officers under the Civil Service Regulations (5th edition.)

841 (c)	Government Order No. 657T.—R., dated 1st June 1911.	Power to grant privilege leave to Rangers and Deputy Rangers serving under their orders.	Provided no extra expenditure is incurred nor the transfer of a subordinate from another division is involved.
1159	Government Order No. 741T.—R., dated 8th June 1911, and Conservator's Circular No. 143—481, dated 13th June 1911.	Power to countersign travelling allowance bills of members of the executive, protective, and office establishments serving under their orders.	.....

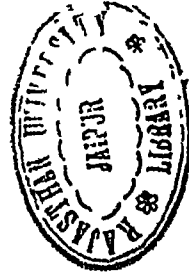
86.—Powers delegated to the Conservator of Forests, Bengal, under the Civil Account Code (7th edition).

Article under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
5 (c)	Circular No. 34F.—F., dated 14th September 1910.	Power to direct Accounts Officers to investigate claims to arrears of pay or allowances, or increments which have been allowed to remain in abeyance for a period exceeding two years.	.....
55 (1) (b)	Revenue Department, Miscellaneous No. 417, dated 13th January 1915.	Power to sanction alterations in the date of birth recorded in service-books.	.....
841	Circular No. 9F., dated 24th February 1910.	Power to remit the demand for leave allowances irregularly drawn by applicants for pension.	In all cases in which leave allowances have been irregularly drawn by applicants for pension it is left to the Accounts Officer to refer the question of the recovery of over-payments to the Conservator (Article 841, Civil Account Code). If both officers agree that recovery should be made, the decision will be given effect to by the Accounts Officer; if the Conservator, however, does not agree, he is empowered to remit the demand without restriction up to a limit of three months' pay. But if he is of opinion that a remission should be allowed in excess of three months' pay, the matter should be referred to the Local Government for orders.
Appendix BBBB (e).	No. 460, dated 28th January 1915, and No. 2390, dated 7th June 1915.	Power to purchase books, newspapers and periodicals at Government expense.	Subject to the condition that all charges incurred are within budget allotment sanctioned for the purpose; no addition may be made to this by re-appropriation from any other source without the previous sanction of the Local Government.

Appendix BBBB (f).	No. 1833E., dated 26th March 1908.	Power to sanction local purchases of stationery (including rubber stamps and ink for them usually supplied by the Stationery Office).	Limit Rs. 20 in each case.
Appendix BBBB (k). Rule 13.	Circular No. 16T.—G., dated 4th November 1908.	Power to sanction purchase of articles of European manufacture (except those which should be indented for from the Stationery Office).	Limit Rs. 250 in each case.
Appendix BBBB (e).	Circular No. 16F., dated 26th March 1908.	Power to sanction the supply of typewriters and duplicating machines for office use.	.....
...	No. 599T.—F., dated 28th May 1913	Power to sanction the establishment of, and the annual rent charges for, telephonic connections between public offices and the public exchange.	.....

87.—Powers delegated to Divisional Forest Officers under the Civil Account Code (7th edition.)

Appendix BBBB (k). Rule 13(a) (i).	Financial Department, Miscellaneous Branch No. 3943Misc., dated 14th July 1916.	Power to purchase medicines locally for treatment of elephants, etc., in cases of emergency.	Rs. 50 in each case provided that there is budget provision to cover the cost.
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